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REPUBLIC OF ZAMBIA

REPORT

of the

SPECIAL INTERNATIONAL COMMISSION ON THE ASSASSINATION OF HERBERT WILTSHIRE CHITEPO

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Lusaka, March, 1976

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COMMISSION ON THE ASSASSINATION OF
HERBERT CHITEPO

P.O. Box RW464
RIDGEWAY
LUSAKA

HIS EXCELLENCY DR KENNETH D. KAUNDA
PRESIDENT OF THE REPUBLIC OF ZAMBIA
STATE HOUSE
LUSAKA

Your Excellency,

By Statutory Instrument No. 101 of 1975, Your Excellency appointed us Commissioners to inquire into the events and circumstances surrounding the death in Lusaka on the 18th March, 1975, of the late Herbert Wiltshire Chitepo, a leading Zimbabwean nationalist leader, and to investigate and establish other matters relating thereto as are contained in our terms of reference.

My fellow Commissioners and I feel honoured and privileged at having been appointed to undertake such an important task. We felt that this Special International Commission was of great significance not only to Zambia but to Africa as well and to the world as a whole.

We have the honour to submit our Report herewith.

I have the honour to be,

Your Excellency's obedient servant,

R. C. KAMANGA,
Chairman

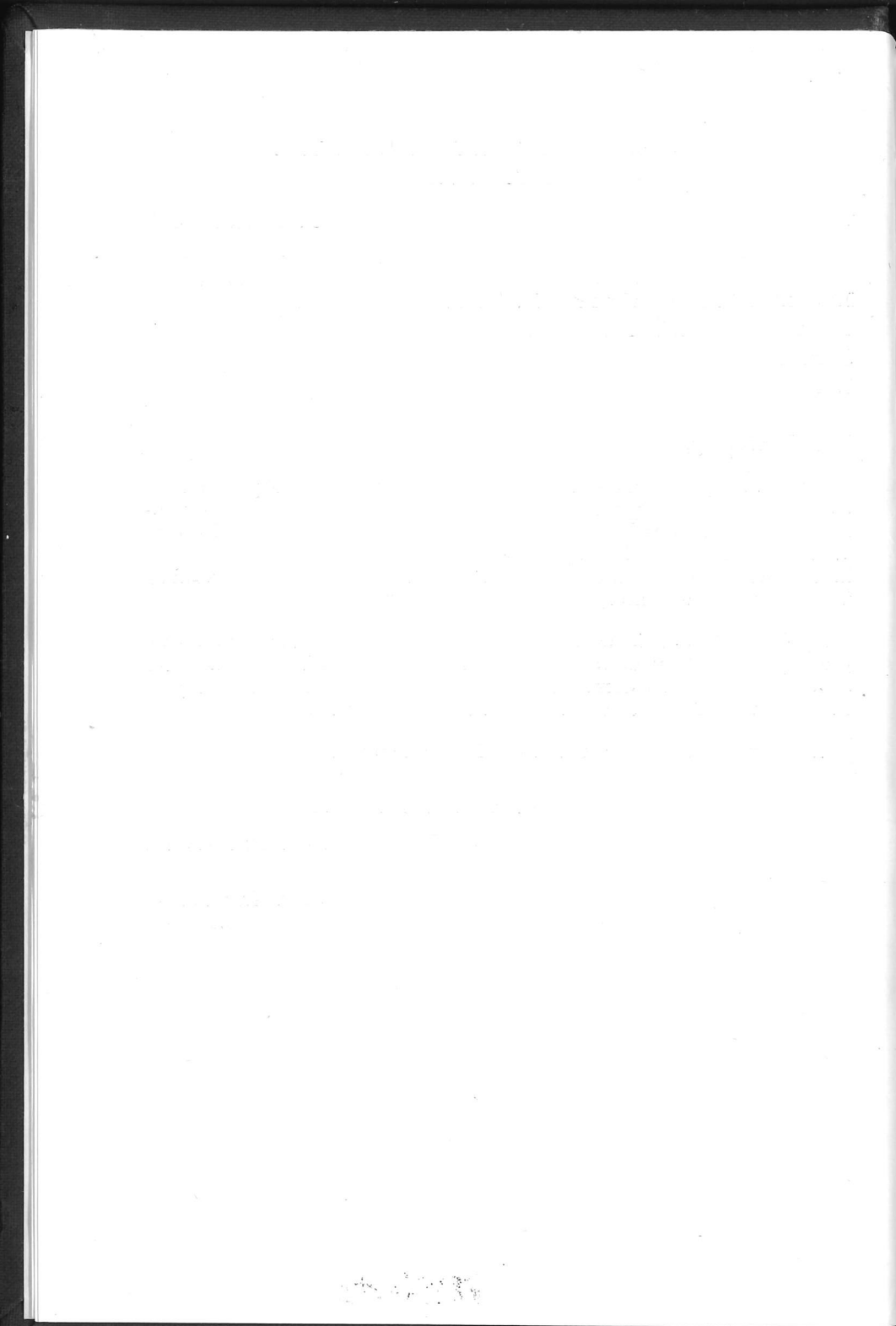


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CORRIGENDA

Pages vii and viii to include Malawi and OAU (Liberation Committee) which were added by Statutory Instrument No. 102 of 1975.

Supplement to the Republic of Zambia Government
Gazette dated the 1st July, 1975

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT No. 101 OF 1975

The Inquiries Act
(Laws, Volume IV, Cap. 181)

A Commission

THE COMMISSION in the Schedule hereto, issued by His Excellency the President, is published in accordance with the provisions of section *two* of the Inquiries Act.

S. J. KAZUNGA,
Secretary to the Cabinet

SCHEDULE

A COMMISSION

HIS EXCELLENCY KENNETH DAVID KAUNDA, President of the Republic of Zambia—

To:

REUBEN CHITANDIKA KAMANGA
MATHIAS MAINZA CHONA
THE REPRESENTATIVE OF BOTSWANA
THE REPRESENTATIVE OF THE CONGO
THE REPRESENTATIVE OF IVORY COAST
THE REPRESENTATIVE OF LIBYA
THE REPRESENTATIVE OF MALAGASY
THE REPRESENTATIVE OF MOROCCO
THE REPRESENTATIVE OF MOZAMBIQUE
THE REPRESENTATIVE OF RWANDA
THE REPRESENTATIVE OF SIERRA LEONE
THE REPRESENTATIVE OF SOMALIA
THE REPRESENTATIVE OF TANZANIA
THE REPRESENTATIVE OF ZAIRE

GREETINGS:

WHEREAS in my opinion it is advisable for the public welfare to appoint Commissioners to inquire into the matters herein-after set out:

NOW THEREFORE, by virtue and in exercise of the powers conferred upon me by the Inquiries Act, I do by this my Commission under my hand and the Public Seal of the Republic of Zambia, appoint you the said—

REUBEN CHITANDIKA KAMANGA

MATHIAS MAINZA CHONA

THE REPRESENTATIVE OF BOTSWANA

THE REPRESENTATIVE OF THE CONGO

THE REPRESENTATIVE OF IVORY COAST

THE REPRESENTATIVE OF LIBYA

THE REPRESENTATIVE OF MALAGASY

THE REPRESENTATIVE OF MOROCCO

THE REPRESENTATIVE OF MOZAMBIQUE

THE REPRESENTATIVE OF RWANDA

THE REPRESENTATIVE OF SIERRA LEONE

THE REPRESENTATIVE OF SOMALIA

THE REPRESENTATIVE OF TANZANIA

THE REPRESENTATIVE OF ZAIRE

to be Commissioners with all the powers of the said Act conferred and I do hereby authorise and require you in the manner of the said Act provided—

To:

1. Inquire into the events and circumstances leading to the death of the late Herbert Chitepo on the 18th March, 1975.
2. Establish the facts of and surrounding the said death.
3. Investigate and establish whether any racist or imperialist agents or counter-revolutionaries or saboteurs were directly responsible for the said death.
4. Investigate and establish the identity and the motive of the person or persons responsible for the said death.
5. Make recommendations with regard to the measures or any additional measures that ought to be taken for the security of persons engaged in any political activities aimed at the attainment of freedom and independence of the people of Zimbabwe and of any other country in Africa still under colonial or minority rule.

AND I hereby direct that you the said Reuben Chitandika Kamanga be the Chairman of the said Commission.

AND I hereby direct that the person before whom you shall take and subscribe the oath or affirmation required by the aforesaid Act shall be the Honourable Mr Justice Annel Muchizwa Silungwe, Chief Justice of Zambia.

AND I hereby direct that the Chairman sitting with five other Commissioners shall constitute a quorum.

AND I hereby direct that the Inquiry shall be made in Lusaka and in such other places both inside and outside of Zambia as may be deemed necessary by the Commission.

AND I hereby direct that the report of the Inquiry shall be rendered to me after the Commissioners have concluded their deliberations and decided upon their recommendations.

AND I hereby direct that if the Commissioners in the course of their inquiries become aware of any matter, thing or activity which in their opinion constitutes or is likely to constitute a danger or threat to national security or the security of any person or persons engaged in any political activity aimed at the attainment of freedom and independence of the people of Zimbabwe or of any other country in Africa still under colonial or minority rule, they shall forthwith communicate full information concerning any such matter, thing or activity and their opinion thereon to the Minister responsible for home affairs.

AND I hereby direct that the said Inquiry shall be held in private.

AND I hereby appoint Charles Chishimba Manyema to be Secretary for the purposes of the said Inquiry.

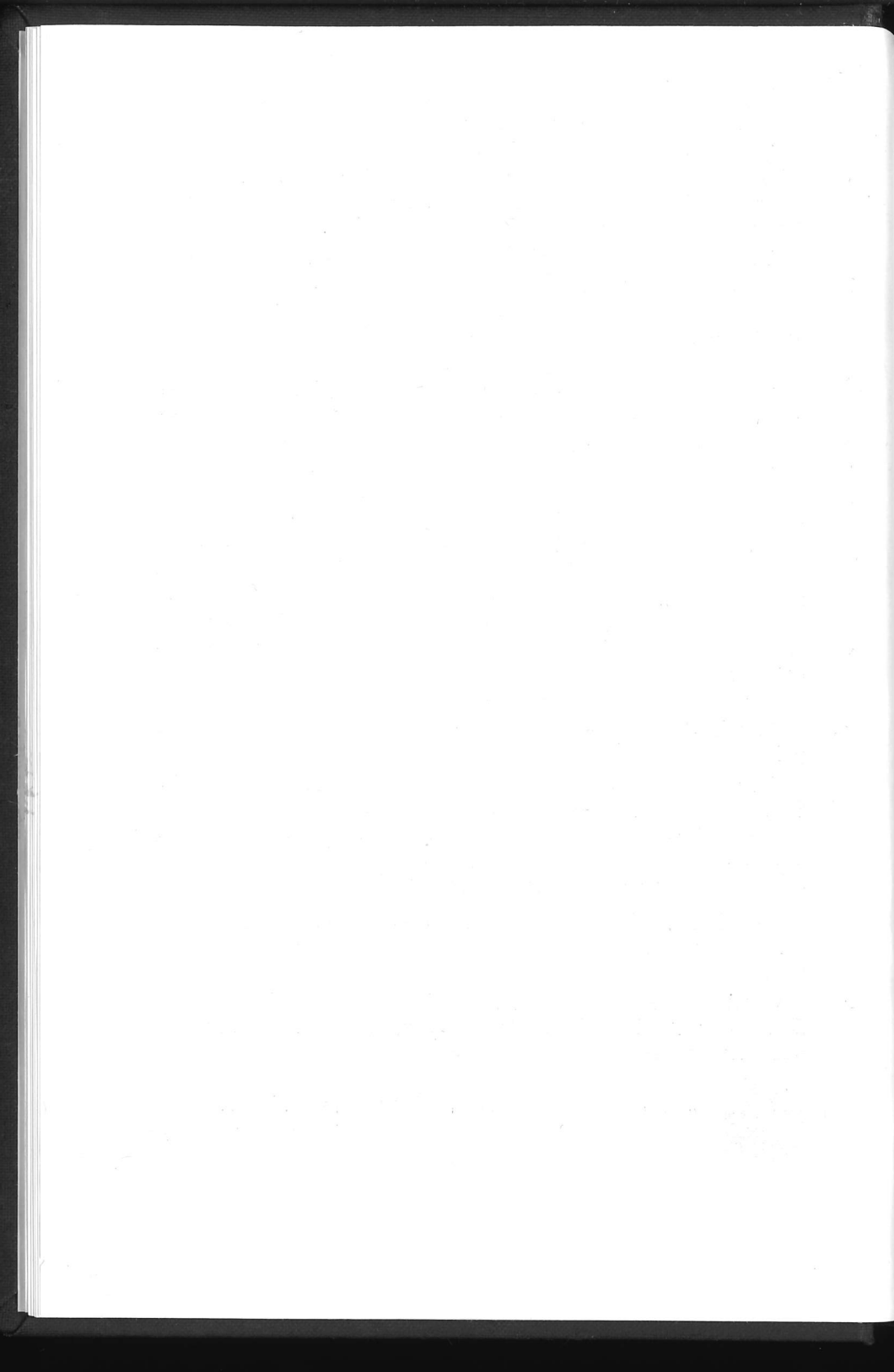
AND I hereby authorise the Commissioners to engage the services of such advisers and experts as they deem necessary to aid and assist them in the said Inquiry.

AND I lastly do hereby command all persons whom it may concern to take due notice hereof and give their obedience accordingly.

GIVEN under my hand and the Public Seal of the Republic of Zambia at Lusaka this 1st day of July, the year of our Lord one thousand nine hundred and seventy-five.



KENNETH D. KAUNDA,
President



INTRODUCTION

THE DEATH OF HERBERT WILTSHIRE CHITEPO

On Tuesday, the 18th March, 1975, at about 0800 hours an explosion occurred at No. 150 Muramba Road, Chilenje South, Lusaka, the house of the late Mr Herbert Wiltshire Chitepo, former National Chairman of Zimbabwe African National Union (ZANU) and a leading personality in the enlarged African National Council (ANC), which came into being on the 7th December, 1974.

2. Chitepo and his bodyguard Silas Shamiso died as a result of this explosion and a third person, a young Zambian boy called Sambwa Chaya of No. 148 Muramba Road, Chilenje South, died later at the University Teaching Hospital, Lusaka, from injuries sustained as a result of the explosion. Sadat Kafumazuba, another bodyguard of Chitepo, also sustained injuries.

BIOGRAPHY OF HERBERT WILTSHIRE CHITEPO

3. Herbert Wiltshire Chitepo was born on the 15th June, 1923, in a village in Inyanga District of Southern Rhodesia. He was educated at St David's Mission School, Bonda; St Augustine's School, Penalonga and then at Adam's College, Natal, Southern Africa, where he qualified as a teacher in 1945.

4. After teaching for a year, he resumed his studies to graduate with a BA degree from Fort Hare University College in 1949. He qualified as a Barrister-at-Law while in London as a research assistant at the School of Oriental and African Studies. He was the first African in Southern Rhodesia to qualify as a Barrister. On returning to Rhodesia in 1954, he practised as a Lawyer and defended many African nationalists in court. In 1961, he served as legal adviser to Joshua Nkomo at the Southern Rhodesia Constitutional Conference in London. The settler regime did not detain him as he did not come out in the open as an official of the nationalist movement and the regime also feared that being the first lawyer, Chitepo was too internationally well-known to be locked up. However, this could not be ruled out.

5. In May, 1962, he was persuaded by ZAPU to go into voluntary exile to escape possible detention. He became Tanganyika's first African Director of Public Prosecutions and performed his functions exceedingly well. When the Sithole/Nkomo split occurred in July, 1963, he sided with Rev. Ndabaningi Sithole and became Chairman of ZANU from its foundation. He held this post until the 7th December, 1974, when the Lusaka Accord was signed.

6. In January, 1966, Chitepo resigned as Director of Public Prosecutions and moved to Zambia in order to concentrate on the armed struggle. He toured world capitals canvassing support for ZANU and for the enforcement of total economic sanctions against Rhodesia. With his friendly disposition, he was very effective and earned for ZANU international recognition and respect.

7. Rev. Sithole and others who were in detention within him prepared a comprehensive document giving powers to Chitepo to lead ZANU while Rev. Sithole was in detention and specifically authorising him to carry out the armed struggle. Accordingly, Chitepo organised and planned guerrilla attacks and underground activities in Rhodesia from 1966 onwards. In 1972, he co-ordinated war operations with FRELIMO and opened up the North Eastern region of Zimbabwe as a new and more effective war front.

8. Chitepo is survived by his wife, Mrs Victoria Chitepo and six children—four daughters and two sons.

ESTABLISHMENT OF THE COMMISSION

9. On the 31st March, 1975, His Excellency the President Dr Kenneth Kaunda, addressing the Nation on both radio and television, announced the decision of the Zambian Government to establish a Special Commission of Inquiry to study the events and circumstances leading to Chitepo's death.

10. In this Broadcast, the President among other things said:

'As you know, Zambia recently witnessed one of the worst criminal acts perpetrated against the people of Zimbabwe and their struggle, and against Zambia's boundless efforts in support of that liberation struggle. This was the brutal assassination of the late Herbert Chitepo, one of the most leading nationalists in Zimbabwe'.

11. The President further said:

'We are shocked. We are still grieved and angered. We remain bitter against the murderous act, bitter against the murderers—the enemies of Zambia and Africa. Many Zambians are, to say the least, very dismayed and justifiably irritated by statements made by some Zimbabwe nationals. Some, even nationalist leaders have shown no concern whatsoever for the assassination of Mr Chitepo. To them, Mr Chitepo has been assassinated and that must be the end. Instead of calling upon the Party and Government to track down the killers of this gallant fighter, they are either completely silent, while others virtually demand that we stop the investigation altogether and thereby shelter the assassins and their imperialist paymasters. This is really asking imperialism and racism to continue corrupting the minds of freedom fighters and to deal a heavy blow on our struggle.

Can we stop the investigation? I say categorically, No. We are going ahead with full strength till we find the culprits and identify the real agent bent on disrupting the armed struggle.'

12. President Kaunda further stressed:

'It is our national and international duty to seek these agents out, expose them and bring them to book. We have a duty to investigate the cause of Mr Chitepo's death and we intend to carry out that investigation with the thoroughness of a toothcomb. We will leave no stone unturned.'

13. Announcing the formation of the Commission itself, His Excellency the President had this to say:

'We have nothing to hide from Zimbabweans, the OAU and the World. I have thus on behalf of the Party, Government and people of Zambia decided to establish a Special Commission of Inquiry to carry out the investigation. The Special Commission will consist of a team selected from the UNIP Central Committee and Cabinet. I am also inviting some members of the OAU Liberation Committee and its Executive Secretary as well as representatives of Botswana, Zaire, Congo (Brazzaville), Malawi, Tanzania and FRELIMO, to be members of the Special Commission. Zambia Security Services will be at the disposal of the Commission in its investigation.

'I want the Special Commission to thoroughly study the events leading up to Mr Chitepo's death. To this end, I invite anyone, anywhere in Zambia, Zimbabwe and the rest of the world who has any evidence to help the Commission to come forward. I especially invite leaders in Zimbabwe and their compatriots in the world who feel very strongly about our actions to come to Zambia and give the Commission the facts. We will provide a full report to the OAU following the findings of the Commission.

'As always, we in Zambia want to be completely honest about the recent events. We will be honest in the interest of the struggle we have vowed to support until victory is won in Zimbabwe.

'At the same time, this inquiry will not interfere with the criminal proceedings through a court of law if the assassins are found. We view Mr Chitepo's death with utmost gravity.

'Finally, let me say that we understand the situation in Southern Africa very well. We know what we are doing. We know every step we are taking. The armed struggle in Zimbabwe has not ended, it will continue; it will be intensified unless majority rule is achieved. Smith must not be under any illusions whatever. 1975 is a year of decision.'

14. The full text of His Excellency's address to the Nation is at Appendix I.

COMPOSITION OF THE COMMISSION

15. The composition of the Commission was agreed between the Zambian Government and the Council of Ministers of the Ninth Extra-Ordinary Session of the Organisation of African Unity held in Dar-es-Salaam in early April, 1975. This took the form of geographical representation. On this basis, invitations were dispatched to the Heads of State of the countries which were chosen within each geographical region to send representatives to serve on the Commission. Apart from Zambia, Commissioners were invited from:

1. Botswana
2. The Congo
3. Ivory Coast
4. Libya
5. Malagasy
6. Malawi
7. Morocco
8. Mozambique
9. OAU (Liberation Committee)
10. Rwanda
11. Sierra Leone
12. Somalia
13. Tanzania
14. Zaire

16. The two Zambian Commissioners were Hon. R. C. Kamanga, MCC, Chairman of the Political, Constitutional, Legal and Foreign Affairs Committee of the Central Committee of UNIP who was also the Chairman of the Commission and Hon. M. Mainza Chona, SC, MP, Minister of Legal Affairs and Attorney-General. The Secretary of the Commission was Mr C. C. Manyema. The following countries responded to the invitation to the July meeting of the Commission and sent the representatives listed under each of them respectively:

Botswana

Hon. A. H. C. Sikunyana, MP, Member of the Central Committee of Botswana Democratic Party

Mr E. Legwaila, Senior State Counsel

Libya

His Excellency Ismail Seddik Ben Ismail, Ambassador

Malagasy

His Excellency H. J. Ratsimbazafy, Ambassador

Malawi

Hon. A. E. Gadama, MP, Minister without Portfolio

Morocco

His Excellency Abdelaziz Jamai, Ambassador

OAU (Liberation Committee)

Lt Col. Mbata, Executive Secretary

Sierra Leone

Hon. Mr Justice S. M. F. Kutubu, Judge of the High Court

Somalia

Mr S. Sufi, Charge d'Affaires

Tanzania

Ndugu Basheikh Mikidadi, Member of the Central Committee of TANU

Ndugu J. S. Warioba, Attorney-General

Zaire

His Excellency Bande Larity Nyarende, Ambassador

Citoyen Malengela Shambuyi, First Secretary

17. On the 1st and 2nd July, 1975, by Statutory Instrument Nos. 101 and 102 of 1975, we were appointed by His Excellency under the provisions of the Inquiries Act (Laws, Volume IV, Cap. 181), with the following terms of reference:

TO:

1. Inquire into the events and circumstances leading to the death of the late Herbert Chitepo on the 18th March, 1975.
2. Establish the facts of and surrounding the said death.
3. Investigate and establish whether any racist or imperialist agents or counter-revolutionaries or saboteurs were directly responsible for the said death.
4. Investigate and establish the identity and the motive of the person or persons responsible for the said death.
5. Make recommendations with regard to the measures or any additional measures that ought to be taken for the security of persons engaged in any political activities aimed at the attainment of freedom and independence of the people of Zimbabwe and of any other country in Africa still under colonial or minority rule.

18. The full terms of the Commission are contained in Statutory Instrument No. 101 of 1975 and are at page vii.

SWEARING-IN CEREMONY AND RECEPTION FOR COMMISSIONERS

19. In accordance with the Inquiries Act, on Tuesday, the 1st July, 1975, the members of the Commission present were sworn in by the Hon. Chief Justice of Zambia, Mr Annel Silungwe at the High Court Building, Lusaka. These included the Commissioners from Zambia, Botswana, Libya, Malagasy, Morocco, Sierra Leone, Tanzania and Zaire. The Commissioners from Malawi and the OAU (Liberation Committee) were sworn in on Wednesday, the 2nd July, 1975, while the Commissioners from Somalia and from Mozambique were sworn in on Thursday, the 3rd July, 1975, and on Tuesday, the 27th January, 1976, respectively.

20. On the evening of the 2nd July, 1975, His Excellency the President hosted a dinner in our honour. By coincidence, leaders of the ANC, including Bishop Abel Muzorewa, Joshua Nkomo and Rev. Ndabaningi Sithole, were in Lusaka at that time and were also invited to dinner.

LANGUAGES OF THE COMMISSION

21. In view of the Commission's composition, the three official languages of the OAU namely: Arabic, English and French were used. At the July meeting, the pattern of language usage by countries was as follows:

Botswana	..	..	..	..	..	English
Libya ..	..	..	..	..	..	Arabic
Malagasy	..	..	..	..	..	French
Malawi	..	..	..	..	..	English
Morocco	..	..	..	..	..	French
OAU (Liberation Committee)	..	..	..	..	..	English
Sierra Leone ..	..	..	..	..	..	English
Somalia	..	..	..	..	..	English
Tanzania	..	..	..	..	..	English
Zaire ..	..	..	..	..	..	French
Zambia	..	..	..	..	..	English

22. In its initial stages, the Commission was faced with the problem of inadequate interpretation and translation facilities owing to the non-arrival of interpreters and translators requested from OAU Headquarters in Addis Ababa. Alternative arrangements had to be made for interpreters and stenographers from Egypt.

23. During this initial period, the Commission's work proceeded with the help of local interpreters and translators who were called upon at very short notice and who were unfamiliar with the simultaneous interpretation system. However, they worked hard and made it possible for

the Commission to continue until a group of professional interpreters and stenographers finally arrived on the 22nd July, 1975. These did an extremely good job within a short time.

HOURS OF WORK

24. Regarding the hours of work, we decided that we would normally meet from 0900 hours to 1300 hours and from 1600 hours to 1900 hours. This schedule was not, however, strictly adhered to. Quite often we started our work at 1000 hours instead of 0900 hours, and started at 1500 hours instead of 1600 hours. As for the time of adjournment, our meetings sometimes went on until well after midnight. The Commission sat daily, except on Saturdays and Sundays. We sat on one Saturday only, the 5th July, 1975. However, this schedule did not apply to the meetings of any Committee appointed by the Commission. Quite often, Committees worked on Saturdays, Sundays, public holidays and during any period when the Commission was in recess.

22. 10. 1941

22. 10. 1941. In the morning I went to the
forest with my gun. I shot a few birds and
some small mammals. In the afternoon I went
to the river and collected some insects. I also
went to the market and bought some food.
The weather was very nice today. I was
very happy to be out in the forest.

CHAPTER 1

PROCEDURE AND METHOD OF WORK

Procedure for Obtaining Evidence

25. At 1630 hours on Wednesday, the 2nd July, 1975, we held our first meeting in the Isaac Wampembe Masaiti Committee Room of Mulungushi Hall in Lusaka, which became the venue for the Commission's meetings. Apart from the opening ceremonies, which the Press was permitted to attend, all our sittings were *in camera* in accordance with our terms of reference.

26. The purpose of this first meeting was to study our terms of reference, draw up a programme of work, and to consider the methods of obtaining evidence which would enable us to arrive at proper findings and make reasonable recommendations based on such findings. In this respect, Commissioners at first expressed disappointment at the apparent lack of sufficient documentary material in the form of background information. However, it was pointed out that Zambia did not want to appear to be guiding the Commission in its work but rather preferred that the Commission itself should decide on what type of assistance it required. Zambia did not want to pre-judge the *modus operandi* of the Commission, but wanted the Commissioners to be free to conduct the investigation as they saw fit. It was therefore agreed that the Commission should rely on the evidence given to the Commission by witnesses rather than on documents which were in Zambia's possession.

27. It was decided that the Commissioner from OAU (Liberation Committee) and the other Commissioner from Zambia (other than the Chairman) should constitute a Committee to call witnesses who should give evidence before the Commission.

28. We availed ourselves of the presence in Lusaka of the nationalist leaders from Zimbabwe and we called them (including James Chikerema) as first witnesses before the Commission. After their evidence and especially after the evidence of Dickson Mpundu, Assistant Commissioner of Police, it was easy for us as a Commission to decide on what next witnesses to call. It therefore became the function of the whole Commission to indicate which witness or witnesses we wanted called. As a matter of fact, some witnesses made suggestions of the names of other witnesses whom they felt would be of help. We did not, therefore, find it necessary to make a public appeal for witnesses in order to get the evidence which was necessary for the purposes of our terms of reference.

29. The procedure adopted at the hearings was very flexible and informal and we allowed witnesses much freedom and latitude in giving

their evidence. As a result, a number of witnesses did not confine themselves strictly to our terms of reference. Some dealt at length with matters irrelevant to our Inquiry while others put up unsolicited denials.

30. Before the submission of evidence, the Chairman asked the witness for his particulars and informed him that he had the right to be represented by a legal representative of his own choice. After the witness had given his particulars, the Chairman then explained the functions of the Commission and its terms of reference. He reminded the witness that the proceedings were *in camera* and that whatever evidence the witness gave to the Commission would not be used in any court proceedings in Zambia. At the end of his evidence, the witness was asked to clarify certain points and issues arising from his testimony or to disclose facts which the Commission thought the witness knew or could explain.

31. We called 41 witnesses in all, out of whom 11 witnesses (mostly members of DARE and High Command of former ZANU) were represented by counsel. Two witnesses were represented by Mr Phillip Banda of Banda & Company, Concession House, Cairo Road, P.O. Box 4367, Lusaka, while the other nine witnesses were represented by Walisko & Company, Grand House, P.O. Box 338, Lusaka (two witnesses by Mr George Walisko and seven witnesses by Miss Beatrice Ngonomo). The whole list of witnesses is at Appendix II.

No Adjournment if there was a Quorum

32. We discussed whether the July meeting of the Commission should adjourn and be convened at a later date. Some Commissioners argued that they were very busy and could not stay in Zambia for a long time. Some needed to go back to their stations to prepare for the Summit Conference of the OAU which was to be held in Uganda in July. Moreover, there was, at that time, a problem of interpretation which the Secretariat was endeavouring to resolve. However, other Commissioners pointed out that the establishment of the Commission was announced on the 31st March, 1975. The meeting of the Commissioners which was to have been held on the 27th April, 1975, was postponed. Some Commissioners had arrived in Lusaka and returned in disappointment. It would be unfortunate if the July meeting was again adjourned without sufficient work being done. This would be exploited by Zambia's critics who were still waiting for the Commission. Some Commissioners had been instructed by their Heads of State to come to Lusaka to carry out the task then. They would find it difficult to explain the delay to their Heads of State. Moreover, others felt that it was too expensive to travel long distances between their countries and Zambia. We finally agreed that in order to speed up the work of the Commission, we should continue to sit and receive evidence as long as there was a quorum, i.e. the Chairman sitting with five other Commissioners.

Commencement of Investigation

33. On Friday, the 4th July, 1975, we assembled at Hotel Inter-Continental at 1005 hours and immediately proceeded to House No. 150 Muramba Road, Chilenje South. We were accompanied by Detective Assistant Inspector Nyirongo and Superintendent Zulu of Zambia Police, who identified the house to us as the one in which Chitepo had lived and where the bomb explosion which killed him had taken place. We then visited the nearest Police Station at Chilenje South and there the police officers identified to us the wreck of a VW Saloon car, Registration No. EY 7077, blue in colour, as the car in which Chitepo was killed.

34. The police officers then took us to the graves of Chitepo, Silas Shamiso, Sambwa Chaya as well as the graves of eleven other persons whose bodies were exhumed in certain parts of Zambia and Mozambique.

35. After that, we were led along Leopard's Hill Road to a point approximately twenty kilometres from Lusaka town centre. There, the police officers identified to us a shallow open grave in the bush about 80 metres off Leopard's Hill Road as the place where the body of Edgar Madekurozwa had been buried. A bone said to be a rib and some remains of hair were shown to the Commissioners.

36. Finally, we visited the Liberation Centre in Lusaka. We were met at the gate by Major Martin Mulopa, who was in charge of the Liberation Centre. Inside the enclosure, we were shown offices belonging to various liberation movements which were housed at the Liberation Centre. In particular, we were shown the office which Chitepo had used. We were also shown an office where a certain John Dube was killed in a bomb explosion in February, 1974. Major Martin Mulopa explained that the late John Dube had been a member of the ANC of South Africa and had apparently occupied the same office that was allocated to Chitepo. We were also introduced to the officials of the Zimbabwe African National Council (ANC) who were present at the time, namely, John Nkomo, George Nyandoro, Simpson Mutambanengwe, Stanley Parirewa, Jason Moyo and Joseph Masangomai.

37. That same day, the 4th July, 1975, in the afternoon, we commenced the hearing of evidence, starting with Bishop Abel Muzorewa as the first witness. We continued hearing evidence until the first adjournment, which was on the 14th August, 1975.

38. The Commission reconvened on the 23rd January, 1976, to consider the first Draft Report. Before doing so, however, the Commission heard evidence from three key witnesses, namely: Sadat Kufamazuba, Joseph Chimurenga and Robson Manyika.

39. Thereafter, the Commission met to discuss the Draft Report. After a general discussion by the whole Commission, a small Committee was ultimately appointed to produce a Final Draft, but all other Commissioners were invited to participate in the Committee's deliberations whenever they could.

40. On the 5th February, 1976, the whole Commission met again and, without considering the Draft prepared by the Committee, agreed that the Secretariat should edit and perfect it along the lines already suggested by the Committee and submit it to the whole Commission on the 7th March, 1976, in readiness for presentation to His Excellency the President on the 8th March, 1976.

41. We are completely satisfied with the evidence we got from the witnesses and the documents which were produced and tendered to us and we feel we are competent to make our recommendations on all the terms of reference. The proceedings before the Commission were recorded verbatim and are presented together with the Report of the Commission to His Excellency the President of the Republic of Zambia.

CHAPTER 2

HISTORICAL BACKGROUND TO THE NATIONALIST STRUGGLE IN ZIMBABWE

European Settlement and Establishment of African Political Parties

42. Zimbabwe is 150,333 square miles in area and is surrounded by South Africa, Botswana, Zambia and Mozambique. Its population is 220,000 whites and 5,500,000 Africans. About 75 per cent of the area ranges from 2,000 to 5,000 feet above sea level, except for the low veld in the Zambezi and Limpopo rivers. Most of the country is very beautiful with high plateaux and excellent climate. There are the glorious Victoria Falls on the border with Zambia and large herds of wild animals in the plains near the main rivers—the Zambezi, Limpopo and Sabi. The country has great economic potential, and exports tobacco, coal, chrome, asbestos, sugar and many other products.

43. The history of European settlement in Southern Rhodesia dates from 1890, when Cecil Rhodes, then Prime Minister of the Cape, sent British troops to conquer the Mashona and Matebele, after forming the British South Africa Company. After the conquest, the BSA Company began to administer Southern Rhodesia and there was a sudden influx of settlers of British origin to the newly acquired colony. The white settlers began to agitate for political power from the British Government, and in 1923 Southern Rhodesia became a self-governing colony, with Sir Godfrey Huggins as Prime Minister.

44. The rise of nationalism in Zimbabwe is not a new phenomenon. Indeed, the African independence struggle in Zimbabwe dates back to the days of European conquest in 1890 and has been manifested in various ways ever since. The prolonged nationalist struggle for freedom and independence has been uncompromisingly bitter and unrelenting. Even

with the Unilateral Declaration of Independence (UDI) by the white minority regime of Southern Rhodesia in 1965, the Nationalist Parties have continued to fight for political control of Zimbabwe with indomitable courage and unflinching determination. The military aspect of the struggle has taken the form of guerrilla warfare by the nationalist movements.

45. Before World War II, a number of resistance movements existed in various parts of Southern Rhodesia (Zimbabwe) to fight white colonialism. However, as was the case in many colonial territories under British rule at the time, these mushroom organisations remained largely amorphous, and were only consolidated into one nationalist movement after the War.

The Southern Rhodesia African National Congress (SRANC)

46. The first nationalist political party was the Southern Rhodesia African National Congress (SRANC), led by Joshua Nkomo, which was launched on the 12th September, 1957. It brought together under its umbrella various nationalist associations. Through this organ, the African population in Zimbabwe was able to give expression to their political views. African nationalism, which had by then achieved some degree of cohesiveness and shown remarkable political awareness, was something to conjure with in the context of Zimbabwe politics.

47. The SRANC spearheaded the struggle against the settler Government and was against the proposals for a Central African Federation of Northern Rhodesia, Southern Rhodesia and Nyasaland, in all its manifestations. Because the Federation was dominated by white settlers, it was hated and vigorously opposed by all Africans. The SRANC fought relentlessly side by side with its sister Parties, the Nyasaland African Congress and the Zambia African National Congress of Northern Rhodesia, to destroy the imposed white-dominated Federation. The SRANC mobilised the African masses and held mammoth anti-Federation and anti-colonialist public rallies and demonstrations which often ended in riots.

48. Early in 1959, SRANC was banned by the United Federal Party (UFP) Settler Government of Southern Rhodesia led by Sir Edgar Whitehead, and so were the sister Parties in Nyasaland and Northern Rhodesia. The SRANC leadership was detained together with several of its militants.

The National Democratic Party (NDP) and the Zimbabwe African Peoples Union (ZAPU)

49. Following the ban of SRANC, the National Democratic Party (NDP) was formed with Michael Mawema as its interim President. In Nyasaland, the Malawi Congress Party (MCP) and in Northern Rhodesia, the United National Independence Party (UNIP), were launched as new sister allies in the anti-Federation and anti-colonialist campaign. After the release of Joshua Nkomo and his colleagues from detention, they assumed the leadership of NDP. The struggle intensified and the NDP

under the leadership of Joshua Nkomo was banned. In its place, the Zimbabwe African Peoples Union (ZAPU), led again by Joshua Nkomo, was formed and continued the bitter struggle. ZAPU was also banned.

50. Commenting on the ban, the White Rhodesian regime explained the sequence of events in the following passage cited by the Pearce Commission:

'On the 29th December, 1959, a new African political party was formed with the title National Democratic Party (NDP). It proved to be nothing other than the Southern Rhodesian African National Congress under a new name and was led by many persons who had been office-bearers or members of the SRANC. Its activities were little different from those of its predecessor. It was eventually banned on the 9th December, 1961, and within a week (the 16th December, 1961) its successor, the Zimbabwe African Peoples Union (ZAPU), came into being and carried on where the NDP left off, and on the 20th December, 1962, it too was banned.'

The banned nationalist parties were accused by the settler regime of arson, violence, threatening violence, destroying European-owned property and intimidation.

51. Sir Godfrey Huggins (Later Lord Malvern), who had been the Prime Minister of Southern Rhodesia since 1923, became the Federal Prime Minister following the imposition of the Federation in 1953. Lord Malvern's political party, the United Federal Party (UFP) was, at that time, the strongest European Party in all the three territories of the Federation. It was launched just before the imposition of the doomed Federation. In public, the Party professed belief in 'Partnership' among the races or 'multi-racialism', but with Government in European hands for the foreseeable future.

52. The Prime Minister of Southern Rhodesia was UFP's Garfield Todd; but because of his liberalism, he was replaced in 1958 by Sir Edgar Whitehead. It was during Whitehead's premiership that SRANC was banned. Under the pressure of African nationalism, however, Whitehead's Government introduced some minor reforms designed to reduce economic hardships for Africans. His regime was also forced to amend the Constitution to increase African representation in Parliament, though the whites still had overwhelming Parliamentary majority. These meagre concessions to Africans angered the whites of Southern Rhodesia, and at the 1962 elections under the new Constitution, white voters turned against Whitehead's UFP and voted the right-wing Rhodesian Front into power.

53. The Rhodesian Front, which was in every respect a successor to the ultra-right-wing neo-fascist Dominion Party, was formed after the imposition of the Federation in 1953. Its avowed object was to oppose any African political advancement in all the three federated territories.

*Pearce Commission Report (Cmd 4964) P. 203

The Dominion Party stood for UDI and apartheid and saw UFP's policy of 'Partnership' and the limited political concessions to Africans as a threat to the European's future in the Federation. Hence, at the 1962 elections, the white electorate voted for the more ruthless and reactionary Rhodesian Front Party. The Africans boycotted the elections on the ground that their political representation was totally inadequate. The Rhodesian Front regime immediately embarked on measures against African nationalists aimed at oppressing and dividing them, and in this way, they were assisted by a serious split in ZAPU which occurred in July, 1963.

The People's Caretaker Council (PCC) and the Birth of the Zimbabwe African National Union (ZANU)

54. Following the banning of ZAPU, the People's Caretaker Council (PCC) was formed in Southern Rhodesia under the leadership of Joshua Nkomo. The Party, however, continued to use the name of ZAPU outside Southern Rhodesia. Just at this point, part of the leadership of former ZAPU rallied round the Rev. Ndabaningi Sithole in opposition to Joshua Nkomo. The division became very serious, and all attempts at reconciliation failed to bring the two factions together. Consequently, the hitherto united mass nationalist movement of Zimbabwe lost its cohesive strength and degenerated into warring factions.

55. The split led to the formation of another political party, the Zimbabwe African National Union (ZANU) in July, 1963, under the leadership of the Rev. Ndabaningi Sithole. ZANU membership was predominantly composed of Shona ethnic groups. New problems soon arose which considerably weakened the nationalist struggle against the settlers, who, since December, 1962, had come under the leadership of the Rhodesian Front. The period of the split was characterised by a bitter struggle for supremacy between the two rival nationalist movements, resulting in carnage and wanton destruction of property. The racist regime of Southern Rhodesia took advantage of this situation and banned both the PCC and ZANU in 1964, and detained the leaders and militants of both Parties.

Chitepo and ZANU External Wing

56. When ZANU was banned in Southern Rhodesia and could only openly operate as an organisation outside Southern Rhodesia, Chitepo became its central figure. At that time, the Party's temporary Headquarters was located in Dar-es-Salaam. Chitepo first came in the limelight in 1963 when he was elected National Chairman of the newly formed ZANU while still in the service of the Tanganyika Government as Director of Public Prosecutions. In order to strengthen Chitepo's position and to give force and authority to his leadership, the Central Committee (which still existed in Southern Rhodesia) gave special mandate to Chitepo to

direct the affairs of the Party. Thus, Chitepo assumed leadership of the External Wing of the Party. His engagement with the Tanganyika Government, however, left him very little time and scope for the pressing demands of the Party in its expanding activities. Therefore, in January, 1966, he relinquished his post with the Tanganyika Government and became fully occupied with the Party and its liberation struggle.

57. From then on, Chitepo embodied the life and spirit of ZANU, energising its purpose to the one supreme end of freeing Southern Rhodesia from white rule. Around him revolved the machinery of the Party, whose policy and day-to-day affairs he directed and administered. Chitepo's position in the Party was unchallengeable and permanent and his figure was unique. Such was the force of character and personality of the man that his leadership was acknowledged and unquestioned. At this time, an executive body was formed and named the 'Revolutionary Council', to control the machinery of the Party. Membership of the Revolutionary Council was by appointment, with Chitepo as a Permanent Head.

58. On the other hand, members of the PCC outside Southern Rhodesia also re-organised themselves and continued to prosecute the struggle for the liberation of Zimbabwe separately and independently.

The Quest for Unity

59. As a result of the successful struggle waged by the people of Northern Rhodesia and Nyasaland, the Central African Federation was dissolved in 1963. In 1964, Northern Rhodesia and Nyasaland got their Independence from British rule and those countries became Zambia and Malawi, respectively. However, owing to settler intransigence there were no visible changes on the political scene in Southern Rhodesia in line with the developments in both Northern Rhodesia and Nyasaland. And to make it worse, the Rhodesian Front regime of Ian Smith declared UDI.

60. This defiant act on the part of white settlers sent shock waves into the very foundations of nationalist organisations throughout Zimbabwe. The inevitability of armed struggle was then being seriously considered by the nationalists as the only effective remedy. Consequently, ZANU and ZAPU External Wings embarked on an intensive training programme of their youths and militants for guerrilla warfare in Zimbabwe. In keeping with their avowed objective, the Zimbabwe liberation movements launched the armed struggle. ZANU launched its armed struggle in April, 1966, the year it transferred its Headquarters to Lusaka, Zambia.

61. Meanwhile, the quest for unity between the two nationalist organisations, ZAPU and ZANU, was still going on, but was far from materialising. To make matters worse, some disaffected members from both ZANU and ZAPU broke away at this time from their respective Parties and came together to form a new political Party called the Front

for the Liberation of Zimbabwe (FROLIZI). With the confusion created by the formation of FROLIZI, the issue of unity among the nationalist movements in Zimbabwe became even more imperative.

The African National Council (ANC) and the Lusaka Unity Accord

62. The African National Council (ANC) was born in 1971 out of an attempt to test African opinion about the basis of independence for Southern Rhodesia. Initially, the ANC did not hold itself out as a political Party, this being prohibited by the Rhodesian regime. But it succeeded in mustering and welding the masses together and made it possible for the Africans to unequivocally refuse to accept the 1971 Anglo-Rhodesian Agreement. The ANC became an organisation to mobilise the people of Zimbabwe and revived in them a spirit of renewed political aspiration. This was a dismaying prospect to the white population generally and to the illegal Rhodesian regime in particular. From this point the ANC became in effect a political party within Zimbabwe.

63. Since all efforts by the OAU to unite the nationalist Parties in Zimbabwe had failed, the only hope of achieving this objective now seemed to lie in Joshua Nkomo of ZAPU and the Rev. Ndabaningi Sithole of ZANU, who were still in prison in Southern Rhodesia. There had been several OAU resolutions calling for the release of these leaders. Following the defeat of the Portuguese in Mozambique and the intensification of the struggle by the Zimbabwean patriots, Ian Smith released Joshua Nkomo and the Rev. Ndabaningi Sithole temporarily on the 8th November, 1974, to enable them to attend a meeting in Lusaka, Zambia, with Presidents Julius Nyerere of Tanzania, Sir Seretse Khama of Botswana, Kenneth Kaunda of Zambia and Samora Machel of Mozambique. Bishop Abel Muzorewa and Joshua Nkomo attended the first meeting. The Rev. Ndabaningi Sithole could not attend because of new internal problems which had beset ZANU. Unbeknown to the four Presidents and ZANU External Wing in Lusaka, Rev. Sithole had been dismissed as President of ZANU by the members of the Central Committee in prison and replaced by Robert Mugabe, its Secretary-General. The internal problems of ZANU relating to the Rev. Sithole were soon healed and on the 13th November, 1974, he was reinstated as ZANU leader by the ZANU External Wing in Lusaka.

64. Apart from the abortive dismissal of the Rev. Ndabaningi Sithole from ZANU leadership, another problem which beset ZANU at the time of the Declaration of Unity in Lusaka was that of ZANU military cadres at the Front. The cadres had mutinied against the Military High Command and were determined to replace it by a new High Command of their own choice. While the Declaration of Unity was being signed, a number of kidnappings and killings were taking place as a result of the rebellion, until the Zambian and Mozambique authorities intervened.

65. The presence of the legitimate leaders of the people of Zimbabwe created an atmosphere of hope that unity would at last be achieved. In

early December, arrangements were made to get the leaders together. The meetings which started on the 3rd December, 1974, culminated in the Declaration of Unity by Zimbabwe Nationalist Movements. The Unity Accord was signed on the 7th December, 1974, at State House in Lusaka, by four leaders, namely, Bishop Abel Muzorewa, President of ANC, Joshua Nkomo, President of ZAPU, Rev. Ndabaningi Sithole, President of ZANU, and James Chikerema, President of FROLIZI.

66. By the Declaration of Unity (copy of which is at Appendix III), all nationalist movements were brought together under the umbrella of the enlarged ANC led by Bishop Abel Muzorewa. Following this momentous Declaration, Ian Smith also agreed to release the leaders of the nationalist movements permanently. The ANC leaders made another joint Declaration on arrival in Salisbury on December 11th (copy of which is at Appendix IV). Consequently, the ANC was recognised by the OAU Liberation Committee as the sole political party representing the African people of Zimbabwe and the former parties ceased to be recognised.

CHAPTER 3

THE ORGANISATIONAL STRUCTURE AND OPERATION OF ZANU

Dare-Re-Chimurenga

67. For closer proximity to the centre of the struggle and for better co-ordination, ZANU moved its Headquarters to Lusaka, the capital of Zambia, in 1966. The membership of the Revolutionary Council had grown to 19 and proved ineffectual as a political organ. The name 'Revolutionary Council' was subsequently dropped and replaced by DARE-RE-CHIMURENGA (War Council) or Supreme Council, after the War Council of the Shona people of the late 19th Century. Above the DARE was the Chimurenga General Council, which was answerable to the entire membership of the Party both inside and outside Zimbabwe and which was composed of:

- (i) members of the DARE;
- (ii) members of the High Command;
- (iii) full-time officials of the Party;
- (iv) members of the Zimbabwe African National Liberation Army (ZANLA) General Staff.

CONFLICTS AND POWER STRUGGLE WITHIN ZANU

68. In 1969, membership of the Executive (now the DARE) was for the first time determined by elections. This was a departure from the old policy of appointments. But as subsequent events were to prove, this was a regrettable step. It ultimately led to conflicts and serious division

in the DARE, and in ZANU itself. From this point in time, the history of ZANU was characterised by the struggle for ascendancy between rival groups which employed tribalism, thereby creating conflicts between the Karangas and Manyikas. Chitepo himself was a Manyika, and this fact eventually put him (as Chairman of the Party), in an awkward position.

69. The DARE was limited in composition to a membership of eight, and the elections of 1969 saw the Manyikas in the majority—five Manyikas, three Karangas. Then began a dangerous struggle for power in the DARE, a situation which imposed a severe test on the solidarity of the Party as a whole in the course of the national liberation movement.

70. ZANU operated at two levels: political and military. These were represented by particular officials in the DARE, and both important and strategic posts, as it were, fell to the Manyikas. Noel Mukono, a Manyika, was the Secretary for Defence in the DARE, and consequently, operational matters came under his direct control. On the political level, too, a Manyika, Simpson Mutambanengwe, occupied that office.

71. At the first Biennial Review Conference in April, 1969, those elected to the DARE were:

- | | | | |
|---------------------------|----|----|--|
| (a) Herbert Chitepo | .. | .. | Chairman |
| (b) Mukudzei Mudzi | .. | .. | Administrative Secretary |
| (c) Henry Hamadziripi | .. | .. | Secretary for Finance |
| (d) Nathan Shamuyarira | .. | .. | Secretary for External Affairs |
| (e) Taziana Mutizwa | .. | .. | Publicity Secretary |
| (f) Stanley Parirewa | .. | .. | Secretary for Welfare and Social Affairs |
| (g) Noel Mukono | .. | .. | Secretary for Defence |
| (h) Simpson Mutambanengwe | .. | .. | Secretary for Political Affairs |

72. On April 28th, 1966, ZANU started its armed struggle in Zimbabwe. On that day, ZANLA engaged the enemy on the home ground, in what has come to be known as the 'Battle of Sinoia' in ZANU military annals.

73. The years 1964 to 1971 saw the training and equipping of fighting cadres for guerrilla and regular warfare. Military bases were established at strategic points in Zimbabwe and Mozambique from which liberation troops, called cadres, crossed over into Zimbabwe and opened campaign centres.

74. The leaders of ZANU saw in this armed struggle the only way to achieve the independence of Zimbabwe—especially after the victory of the people of Mozambique over the Portuguese colonialists.

75. Evidence of power struggle within the rank and file of ZANU based on tribalism started showing at the 1971 ZANU Conference held at Kafue, Zambia, for the elections to the DARE (Supreme Council). After the elections, the successful candidates were:

- (a) Herbert Chitepo Chairman—Manyika
- (b) Mukudzei Mudzi Administrative Secretary—
Karanga
- (c) Henry Hamadziripi Treasurer—Karanga
- (d) Simpson Mutambanengwe .. Political Commissar—
Manyika
- (e) Noel Mukono Secretary for Defence—
Manyika
- (f) Washington Malianga Publicity Secretary—
Zezulu
- (g) Richard Hove Foreign Affairs—
Karanga
- (h) Stanley Pareirewa Secretary for Welfare
and Social Affairs—
Zezulu

76. Nathan Shamuyarira and Taziana Mutizwa, who were not re-elected, resigned from the Party and later joined FROLIZI when it was formed. Pareirewa also resigned his post after two weeks and he, too, joined FROLIZI. His vacant post in DARE was never filled.

77. The elections in 1971 again showed the Manyikas in greater strength. The Karanga elements more than ever now intensified the struggle to correct the imbalance in the DARE and to establish their ascendancy.

78. They realised this objective in the DARE elections of 1973, and at once proceeded to vigorously implement their policy of having Karangas in key posts and offices, both at the political and military levels—and they succeeded.

79. At the Review Conference of September, 1973, the following persons were elected to the DARE:

- (a) Herbert Chitepo Chairman—Manyika
- (b) Mukudzei Mudzi Administrative Secretary—
Karanga
- (c) Noel Mukono Secretary for External
Affairs—Manyika

- | | |
|-----------------------------|---|
| (d) Kumbirai Kangai | Secretary for Labour,
Social Services and
Welfare—Karanga |
| (e) Rugare Gumbo | Secretary for
Information and
Publicity—Karanga |
| (f) John Mataure | Political Commissar—
Manyika |
| (g) Henry Hamadziripi | Secretary for Finance—
Karanga |
| (h) Josiah Tongogara | Chief of Defence—
Karanga |

The Karangas won majority seats at this election—five Karangas and three Manyikas.

80. Josiah Tongogara, a Karanga, took over from Noel Mukono, a Manyika, as ZANU Chief of Defence. As a member of the DARE and also leader of the ZANU Military High Command, he was in a position to effect major changes in the military sphere. The Karanga elements came into effective control of ZANU in both its political and military aspects. In the process, much ill-feeling was engendered in the Party and ZANU lost the cohesive strength necessary for waging a national struggle of the scale on which they had embarked. The petty wranglings and wrong methods of dealing with real or imagined rivals for power plunged ZANU into utter confusion.

ZANU and the UNITY Accord of December, 1974

81. To bring the Zimbabwe warring political factions to the sense of responsibility they owed to their country, the OAU and the Presidents of Zambia, Tanzania, Botswana and Mozambique attempted to unite them and their efforts resulted in the Unity Accord of December, 1974.

82. The decision for all the Zimbabwe nationalist movements to merge into the ANC was, however, strongly opposed within ZANU. According to the evidence of the Rev. Ndabaningi Sithole, President of former ZANU, at the time they came to Lusaka for Unity talks, the atmosphere was tense in his camp. There were two strong schools of thought, he said. One school believed in Unity and the other believed in the opposite. He stated further, that at the time the Zimbabwe Declaration of Unity was signed, there was a strange feeling in the ZANU delegation. Rev. Sithole in his own words said: 'Some felt that we should not have signed it, whereas others felt that we should sign the document.' Joshua Nkomo said in evidence that ZANU was against unity and was reluctant to subscribe to the Unity Accord.

83. Members of the ZANU Executive (including Chitepo himself for some time) put up a solid wall of opposition to the Unity Accord. They saw in it the destruction of their ambitions. Convinced that the liberation movement could only have meaning in the context of armed struggle, and that ZANU's Military Wing was in fact succeeding, they were not prepared to sacrifice all this in a large entity where their identity would be lost; their own ambitions would go over-board, and others would step in to reap that for which they had not toiled. This was not to be, and so the struggle continued even after the signing of the Unity Accord and waxed strong.

CHAPTER 4

THE NHARI REBELLION

Causes of the Rebellion

84. The pent-up grievances of ZANU military cadres which came to a head in late November and the early part of December, 1974, precipitated a crisis of unparalleled proportions in the annals of ZANU External Wing. Some cadres at the Front, led by their commanders, Thomas Nhari and Dakarai Badza, had revolted against the Military High Command and were irrevocably bent on ousting them from office and replacing them by commanders of their own choice. Most of these cadres were of North-Eastern origin.

85. As already stated, the 1973 Biennial Elections to the DARE saw members of the Karanga group in the majority. The group had gone one step in the overall plan to completely control ZANU both in its military and political aspects.

86. According to the evidence before the Commission, the Karanga group began a process of removing commanders in the front line and replacing them with Karangas, some of whom were inexperienced and lacked the necessary qualifications. Rapid promotions of Karangas in the military ranks followed, with a corresponding demotion of men of record from other tribes—the Manyikas in particular.

87. The cadres said that the front line continued to be neglected notwithstanding the fact that there was a new DARE and High Command after the 1973 Biennial Elections and that there was no adequate supervision among the fighting forces because those charged with the responsibility in the DARE were away from the zone of the campaigns. These people did not visit the war zones to have first-hand knowledge of the conditions prevailing there and to ascertain the need for essential military equipment.

88. Conditions became insupportable. Some commanders in the field felt that the only remedy for the deteriorating situation in which they found themselves was to take matters into their own hands and rectify the position by seizing and replacing the High Command and taking them to the Front. This took the form of kidnappings by the Nhari group when they got to Lusaka.

89. Listed below are the main grievances of the cadres:

- (a) Short supplies of essential commodities and war materials at the Front such as food, clothing, shoes and provisions for the fighting forces. The troops had sometimes to obtain these from FRELIMO in Mozambique. Even in the hazardous matter of ferrying cadres across the Zambezi River to and from the fighting zones, the commanders met with no consideration from the High Command. Very often, FRELIMO had to assist with crude native boats because no provision was made for the supply of properly constructed boats for the operations.
- (b) Those in charge of operations in the Military High Command were completely out of touch with what was going on at the Front. They would not visit the areas where the fighting was taking place even at the request of the field officers. The Military High Command were not therefore, in a position to appreciate the difficulties the front line fighters were facing or to assess what was involved.
- (c) Wholesale corruption riddled the Military High Command. This manifested itself in the form of tribalism and preferential treatment. It was alleged that funds intended for prosecution of the war were mis-appropriated and misused by the leaders. These leaders lived in luxury and affluence. Some engaged in business while rumours were circulating to the effect that a member of DARE was building a house in Lusaka for his wife. According to the evidence, Chitepo himself had once expressed great surprise at the ostentatious display of wealth by this person and had complained to some members of ZANU. Since these people were not gainfully employed, it was argued that such enterprises could only have been possible through misappropriation of monies donated by neighbouring African states, the OAU and foreign organisations and intended for use by freedom fighters.
- (d) There was also the case of whisky and cigarettes which Josiah Tongogara, ZANU Chief of Defence, is said to have sent by the Girl's Platoon Leader for his relative, Josiah Tungamirai at the Front. Drinking at the Front was forbidden. Here, the cadres thought, was was a member of the High Command flagrantly violating an important military code of discipline, only to favour a relative.

- (e) The irregular promotions by the Military High Command even in cases of people newly arrived at the Front, like Josiah Tungamirai, who was promoted to Provincial Political Commissar in the MMZ Province in the first month of his arriving at the Front. The post had been vacant for a long time, notwithstanding the fact that there were capable officers who had been recommended by their Provincial Commanders.
- (f) Class distinction amongst the children of DARE and High Command personnel. Some of these children, it was said, were attending special schools in Lusaka. The issue of class distinction was exacerbated by the fact that the wives of some DARE and High Command members engaged in remunerative employment. The personal lives of some of the leaders in DARE and High Command caused resentment among the rank and file. The way they lived fell far short of ZANU's socialist principles, they said. It was socialism for those who were down, the underdogs, they maintained.
- (g) The policy of sending people to the Front as a form of punishment was considered wrong and dangerous. A letter which had been written by Molife and Badza to the Military High Command, accusing them of corruption, resulted in Molife being sent to the Front as punishment for his effrontery. Others too, suffered similarly. The High Command, they felt, prostituted the noble objectives of the war. Every soldier worth his salt should regard going to the Front, not only as a national duty, but also as a personal triumph. If soldiers were sent to the Front as punishment every soldier committed to the fighting would regard orders to go to the Front as a punishment and would tend to be inclined to lose heart in the overall purpose of the fighting.
- (h) The use of Freedom Fighter girls or cadres as house-maids and concubines with whom to relax by the leaders of ZANU, was a burning issue with cadres at the Front. Some of these girls had relatives at the Front who kept track of their movements and activities in Lusaka. These relatives used to come to Lusaka from the Front for medical attention and saw things for themselves. Also, others who came to and from training camps saw what was happening in Lusaka. It had been as a result of their personal intervention and pleadings that their sisters had registered for service in the Liberation Army. The girls were trained to serve as nurses, soldiers, teachers etc. in the war zone but the ZANU leaders in Lusaka, including members of the DARE and High Command, deviated from this objective and used them otherwise and even made some of them pregnant.
- (i) The cadres from Operational Zones stated that they had come across people they were convinced were agents. They gave

examples of this and alleged that despite their repeated representations to the High Command that these people were enemy agents, no action was taken by the Military High Command.

90. However, according to the evidence obtained from the members of DARE, the mutineers in the forefront were influenced by leaders in Lusaka. The events of December, 1974, were master-minded by certain members of DARE and other people living in Lusaka. Badza, Nhari and Ceasar Molife had come to Lusaka sometime back saying that they were sick and needed treatment. These people had several meetings with Mukono, Santana and George Mpini, who advised them that the solution to the problems they were facing in the forefront was for them to have a new High Command. At one time Badza and Basil Chimbodza prepared a document with the assistance of Malianga, Santana and George Mpini in which they condemned DARE and High Command and praised the people who had lost the elections in 1973.

91. After Badza had recovered in March, 1974, and was going back to the forefront, he passed through Chifombo. There, he, Nhari and Molife were involved in an incident in which Molife wanted to shoot Rex Nhongo, but a member of the security arrested him. The blame was put on Badza, who was senior. It was because of this that Badza was demoted and replaced by Thomas Nhari as Provincial Operational Commander.

92. The belief that the NHARI rebellion was master-minded by the rear leadership was also expressed by one of the militants who was in the NHARI group. He was surprised about the meeting that Badza and other escapees held with Mukono, Mutambanengwe, Malianga, Santana, Mpini and others at Mautsa's place on the 10th December, 1974. A member of DARE should not have held meetings with people that had rebelled against the High Command and DARE.

93. According to Tongogara, the rebellion was also instigated by the propaganda of the rebel regime of Southern Rhodesia. The enemy used psychological methods aimed at demoralising the ZANU armed forces at the forefront. The propaganda concentrated on discrediting the work of leading freedom fighters in ZANU and made reference to their luxurious living in towns compared with the life of the young men in the forefront. According to the propaganda, the young men were sent to die for those who were living comfortable lives with their families in the city. Tongogara said that according to his information, rebel soldiers led by a certain Captain Soares met the ZANU militants led by Nhari. However, this story of meeting rebel soldiers was completely rejected by the witnesses who were in the NHARI group.

94. Tongogara admitted that some of the grievances of the militants in the forefront such as shortage of funds and war materials were genuine. However, he added that they did not start in 1974. They had been with the Party ever since the beginning of the struggle. He and his colleagues had

constantly explained these problems to the militants and all of them were supposed to fully understand the problems. He admitted, however, that he, as Chief of Defence had not been able to go inside Zimbabwe although Kangai said that most members of the Military High Command had been inside the country.

95. Tongogara said he was always at Chifombo and other bases in Mozambique. There was always a member of the High Command stationed at Chifombo who was in touch with the cadres at the forefront. If the leaders lived well in Lusaka, it was because some were married to wives with professional qualifications and who held responsible posts. The story of the bottle of whisky, a carton of cigarettes and a pair of socks was denied by Tongogara.

96. The High Command and DARE had not up to December, 1974, appreciated the danger of punishing people by sending them to the forefront. The Party was prepared to review the policy. The story of immoral conduct with the female cadres was denied, though not strongly. Tongogara said that no leader was building a house in Lusaka. It was only a wife or fiancé of one of the leaders who was building a house with a loan from the Zambia National Building Society.

NHARI GROUP ON THE MARCH TO LUSAKA

97. In pursuance of their resolve to change the ZANU Military High Command in Lusaka, the dissatisfied cadres at the Front (mostly North-Easterners) organised a meeting about the middle of November, 1974, at which the High Command headed by Josiah Tongogara was purportedly deposed and replaced by the following new High Command:

- (a) Thomas Nhari, Chief of Defence—Zezulu (NE)
- (b) Dakarai Badza, Chief of Operations—Manyika (NE)
- (c) Patrick Tabenga, Chief Political Commissar—Zezulu (NE)
- (d) Ceasar Molife, Chief of Security and Intelligence—Manyika (NE)
- (e) Hebert Mutise, Chief of Personnel—Korekore (NE)
- (f) Peter Sheba, Chief Representative (East Africa) Zezulu (NE)
- (g) Cephas Tichatonga, Chief of Logistics—Manyika (NE)
- (h) Chemist N'cube, Chief Instructor—Zezulu (NE)
- (i) Cuthbert Chimedza, Military Attaché (East Africa)—Karanga (SE)
- (j) Timothy Chiredza, Chief of Transport—Korekore (NE)
- (k) Sam Chandawa, Provincial Chief of Defence—Karanga (SE)

98. This new High Command was also organised on regional lines, as all but two of its members came from the North-East, in contrast to the deposed Military High Command whose membership was predominantly composed of South-Easterners.

99. At this meeting, it was resolved that all the members of the deposed High Command were to be brought to the Front as ordinary cadres.

100. Consequently, a group of thirty cadres led by Thomas Nhari marched from the Front towards Chifombo. On their way, they found that new recruits had been organised by a self-confessed enemy agent, who professed to be a relation of a member of the High Command. Under the orders of this agent, the recruits had destroyed the boats used for ferrying cadres to and from the war zones and had also planned to run away. After his open confession to the Nhari group, the enemy agent was physically eliminated by that group.

101. As they continued their journey, they met a group of cadres carrying war materials and found among them another well-known, self-confessed enemy agent. It was revealed in evidence that he had caused several deaths in Zimbabwe as a result of the information he gave to Ian Smith's forces. He had been discovered by the militants and warned, but to no avail. He too was executed by the Nhari group.

102. According to the evidence before the Commission, the Nhari Group took over Chifombo peacefully, although other accounts point to the contrary. It is reported that the Camp Commandant, Sheba Gava, was found drunk. He was arrested and taken to the Front together with his comrades Silas Shamiso, Timothy Gudura, and Madib Muchasvipedza. Gava had been forced by the group to give them K400 (four hundred kwacha—Zambian currency) and to sign all necessary passes to enable them to cross the Luangwa river to Lusaka.

103. The following cadres were among the rebel group that took over Chifombo:

- (a) Thomas Nhari (leader) (NE)
- (b) Cephas Tichatonga (NE)
- (c) Sam Chandawa (SE)
- (d) Ceasar Molife (NE)
- (e) Peter Sheba (NE)
- (f) Rameck Gatawa (NE)
- (g) Seisa Malisha (SE)
- (h) Elias Mhanda (NE)
- (i) Loveness Chitankwa (NE)
- (j) Revayi Mabunu (NE)
- (k) Loice Moyo (NE)

- (l) Muchaneta Mabunu (SE)
- (m) Fungai Musha (SW)
- (n) Timothy Chiredza (NE)
- (o) Chemist N'cube (NE)
- (p) Dakarai Badza (NE)
- (q) Elizabeth Mudyanevana (NE)
- (r) Hewitti Mangena (NE)
- (s) Farayi Kufakunesu (NE)
- (t) Catherine Garanewako (NE)
- (u) Nephew Ndanga (NE)
- (v) Mativonesa Kupfuhahandu

104. After taking over Chifombo, Nhari, Chiredza, Tichatonga, Molife and Sam Chandawa left for Lusaka on the 30th November, 1974. They passed through Luangwa, and intimidated Peter Sheba and Nephew Ndanga about their design and asked for their support. Both men dithered as they were of the opinion that DARE would not give support to such a move. However, they followed the group the next day to Lusaka.

105. The Nhari group arrived in Lusaka and on the 1st December, 1974, they arrested the following members of the Military High Command:

- (a) William Ndangana, Chief of Operations—Zezulu (NE)
- (b) Joseph Chimurenga, Provincial Secretary—Karanga (SE)
- (c) Charles Dauramanzi, Officer for Supplies—Karanga (SE)

Peter Sheba and Nephew Ndanga, who arrived in Lusaka that day were also arrested. The group also went to Chigowe's house to arrest him but he was not found. While at Chigowe's house, a pistol went off.

106. The captured ZANU officials were taken to Chifombo where Nhari explained in detail to the cadres about their grievances at the Front. He specifically made mention of things like spending a lot of money on drinks, spending time in hotels, the wearing of expensive dresses, running personal cars, constructing expensive buildings and selling some of the clothes which were meant for ZANU comrades. Nhari revealed that their grievances were not directed against the DARE but the Militant High Command, particularly Tongogara (Chief of Defence) and Chigowe (Chief of Security).

107. It was further alleged that Tongogara and Ndangana had sent poison to Chifombo in the form of tablets which were meant to kill Badza, Nhari and Tichatonga.

108. After listening to Nhari, Peter Sheba and Nephew Ndanga agreed to support him and consequently joined the group.

109. After this, Nhari and his colleagues came to Lusaka on the 6th December, 1974, in order to discuss the position with DARE and try to establish a new system of working. The list of the members of the new High Command was subject to the approval of DARE.

110. By this time, the news of the kidnapping and the shooting incident at Chigowe's house had spread throughout the ZANU circles. There appeared to have been a division of opinion among ZANU leaders on what appropriate steps to take against the Nhari group. Some called for tough action while others advocated negotiations with the rebels.

111. Both the DARE and the High Command finally opted for mediation. As unity talks were taking place in Lusaka at this time, members of the DARE were fully occupied. However, they mandated Josiah Tongogara (Chief of Defence) and John Mataure (Political Commissar) to hold discussions with the Nhari group. Tongogara and Mataure met the Nhari group at No. 93 Mpelembe Street, New Kabwata.

112. At that meeting, Nhari, as spokesman for his group, outlined all their grievances to Tongogara and Mataure. The Nhari group specifically requested to meet the DARE and discuss matters with them.

113. Tongogara and Mataure met the other members of DARE the following morning at Mulungushi Village and reported what transpired between them and the Nhari group. The DARE took a decision that they were not going to listen to these grievances until the rebels surrendered back those comrades they had kidnapped. This decision was conveyed to the Nhari group accordingly by both Mataure and Tongogara.

114. The Nhari group had collected information during their second visit to Lusaka that Chigowe was organising an army from ZANU camps and that all soldiers at the ZANU farm were well armed in readiness for the group. The prospects of reconciliation having failed to bear fruit, Nhari and his group returned to Chifombo and prepared for their last and final onslaught on the Military High Command in Lusaka.

115. On the 9th December, 1974, a group of armed cadres led by Nhari came to Lusaka and kidnapped 19 persons most of whom were Karangas. Amongst them were the following:

- (a) Mrs Angelina Tongogara and her three children—Karanga (SE)
- (b) Kumbirai Kangai—Karanga (E)
- (c) Peter Chiwota—Karanga (SE)
- (d) Timothy Chimbodza—Karanga (SE)
- (e) Mukudzei Mudzi—Karanga (SE)
- (f) Peter Shoniwa—Karanga (SE)

The Arrest of the Nhari Group

116. Before Nhari and his group could lay their hands on all the members of the High Command, they were intercepted by the Police. Of

the Nhari group that came to Lusaka, 16 were apprehended by the Police while six escaped arrest. Those who escaped back to Chifombo were:

- (a) Dakarai Badza
- (b) Chemist N'cube
- (c) Seisa Malisha
- (d) Nephew Ndanga
- (e) Timothy Chiredza
- (f) Mativonesa Kupfuhahandu

Badza and other members of the Nhari group left two machine guns at the house of Edgar Madekurozwa when they escaped to Chifombo after the arrest of Nhari and others.

117. Those arrested were briefly detained by the Zambian Government pending Government decision. It was during this period that 10 of the 16 abductors escaped from custody on the 31st December, 1974. These were:

- (a) Thomas Nhari
- (b) Cephas Tichatonga
- (c) Peter Sheba
- (d) Sam Chandawa
- (e) Elias Mhanda
- (f) Madiba Gatawa
- (g) Catherine Garanewako
- (h) Farayi Kufakunesu
- (i) Elizabeth Mudyanevana
- (j) Ceasar Molife

118. The following did not escape:

- (a) Hewitti Mangena
- (b) Fungayi Musha
- (c) Loveness Chitankwa
- (d) Muchaneta Mabunu
- (e) Revai Mabunu
- (f) Loice Moyo

119. Among those who escaped, the following were recaptured by the Police at Rufunsa:

- (a) Thomas Nhari
- (b) Peter Sheba
- (c) Sam Chandawa
- (d) Elizabeth Mudyanevana
- (e) Farayi Kufakunesu

120. In an effort to find a solution to the problems of these abductions a meeting was convened on the 23rd January, 1975, with Zambian Senior Government Officials at which Chitepo, Mukudzei Mudzi, Kumbirai Kangai and Rugare Gumbo, were present. The purpose of this meeting was to get first-hand information from the rebel group as to why they wanted to overthrow the High Command.

121. Thomas Nhari, the leader of the rebel group outlined the reasons and produced a document containing grounds for their rebellion against the High Command. It was discovered that the proper channel and procedure for expressing grievances had not been followed. A decision was then taken that the Nhari group were to remain under detention until the next meeting that day.

122. At the meeting which followed, Zambian Government Officials asked Chitepo what action he intended to take against the mutineers if they were handed over to ZANU. Chitepo explained that past experience had shown, that given a chance, wrong-doers can always reform through reorientation. He went on to say that the Party would like to have the men back. On being asked whether the men would not be executed if handed over, Chitepo replied that in ZANU's code of discipline, execution was not one of the punishments prescribed.

123. As a result of Chitepo's firm assurances, the Zambian Authorities agreed to hand over the detained cadres to the Party. However, before the actual handing over on the 27th January, 1975, three of the recaptured ex-ZANU cadres had again escaped on the 26th January, 1975. These were:

- (a) Thomas Nhari
- (b) Sam Chandawa
- (c) Peter Sheba

CHAPTER 5

THE AFTERMATH OF NHARI REBELLION

Recapture of Chifombo by High Command

124. According to Tongogara's evidence, after the incidents of the 9th to the 10th December, 1975, the DARE decided that the situation should be normalised. A meeting was held at which all the eight members were present. It examined the situation and found that John Mataure was guilty of 'conniving at the actions of the rebels'. According to Tongogara, some of the charges made against Mataure were—

- (a) that the rebels got the Land-Rover from Mataure which they used to convey Ndongana and others to Chifombo;

- (b) that when the rebels came to Lusaka on the 30th November, 1974, three of them slept at Mataure's house;
- (c) that Mataure drove the rebels to Tongogara's house on the 9th December, 1974, where sporadic shootings occurred.

For these reasons, it was decided that Mataure should be isolated from the public and he was consequently taken to a ZANU camp near Lusaka.

125. There was conflicting evidence among ZANU leaders as to when orders were given for Mataure to be 'isolated'. Tongogara said it was a decision of DARE, while Kangai said it was after the Committee of Three had interviewed him that the order was passed. However, the fact of his enforced isolation at the ZANU farm was not in dispute before the Commission.

126. According to the evidence of some witnesses, Mataure was tied to a tree at this farm and tortured for several days by ZANU members.

127. A Committee of three, consisting of Chitepo, Kangai and Gumbo was set up to investigate the circumstances of the uprising. This committee sat and carried out interviews, but, according to the evidence of Kangai, it never concluded its proceedings and never produced a report.

128. Another important decision taken by DARE and the High Command was the recapture of Chifombo from the rebels. In aid of this strategy, it was decided to expedite the arrival of the re-inforcement from the OAU which had been applied for in November, 1974, but which had not yet arrived owing to some delay.

129. On the 19th December, the re-inforcement arrived. It was decided that Chifombo should be recaptured and that the whole operation should be led by Josiah Tongogara himself, as Chief of Defence. Badza and others who were ambushed on their way to FRELIMO camp told Tongogara of the numerical strength of Chifombo and how the sentries were posted.

130. According to Tongogara and other witnesses, Chifombo was recaptured without resistance or casualty but accounts of the take-over varied materially. Some witnesses before the Commission said that 45 cadres died after the take-over of the Camp by Tongogara. According to the evidence, Dakarai Badza, Nephew Ndanga and others were killed.

131. After the recapture of Chifombo, Tongogara sent a message to his colleagues proposing a meeting of the Chimurenga General Council. At the same time, he dispatched a rescue team to the Front where it was believed Ndangana, Chimurenga, Dauramanzi, Tungamirai and others would be executed on the 9th January, 1975. The rescue team saved them but according to reports, they had already gone through indescribable tortures. Others had escaped to FRELIMO camps.

Chimurenga General Council at Chifombo

132. On Tuesday, the 21st January, 1975, the following members of DARE arrived at Chifombo for the Chimurenga General Council meetings:

- (a) Herbert Chitepo
- (b) Henry Hamadziripi
- (c) Rugare Gumbo
- (d) Kumbirai Kangai
- (e) Josiah Tongogara

Mukudzei Mudzi was in Lusaka while Noel Mukono was out of the country; Mataure was already in detention. Both the DARE and High Command held a series of meetings preparatory to the trials. Chitepo himself was Chairman of the Chimurenga General Council which commenced sittings in the afternoon of Wednesday the 22nd January, 1975.

133. Chitepo opened the meeting and, according to witnesses before the Commission, Tongogara then took the floor and read out the charges against those involved in the rebellion and the following persons were named:

- (a) *Officers in the DARE*
 - (i) Noel Mukono
 - (ii) John Mataure
 - (iii) Herbert Chitepo (a suspect but 'no evidence at the moment')
- (b) *Members of the Chimurenga General Council*
 - (i) Simpson Mutambanengwe
 - (ii) Joseph Masangomai
 - (iii) Basil Chimbodza
 - (iv) Godfrey Chiguvare
 - (v) Shumba
 - (vi) Sekai Holland
 - (vii) Richard Hove
- (c) *Officers in the Field*
 - (i) Dakarai Badza
 - (ii) Thomas Nhari
 - (iii) Ceasar Molife
 - (iv) Nephew Ndanga
 - (v) Cephas Tichatonga
 - (vi) Peter Sheba
 - (vii) Sam Chandawa and others.

- (d) *Officers in the Province*
 - (i) Cornelius Sanyanga
- (e) *Officers in the District*
 - (i) Nelson Dziruni
 - (ii) Mrs Hove
 - (iii) Mrs Masangomai
- (f) *Officers of the Branches*
 - (i) Stanley Parirewa
 - (ii) Edgar Madekurozwa

134. On Thursday the 23rd January, John Mataure, a leading suspect, was brought to the meeting under guard, and the following allegations were levelled against him—

- (a) that he had organised a group which came to Lusaka to abduct people;
- (b) that when the Nhari group asked him for transport, he told them to go to Ndangana. When they asked for a Land-Rover from Ndangana, he gave them and later he was kidnapped;
- (c) that when he and Tongogara were meeting with the Nhari group under the direction of DARE, the rebel group were saluting him and not Tongogara;
- (d) that on the day when the Nhari group went to Tongogara's house after kidnapping his family, they were driven there by Mataure; and
- (e) that he was seen with Dziruni and others who belong to the Manyika tribe which meant that he was involved in organising people tribally and regionally.

135. According to the witnesses, Mataure tried to answer all the allegations as follows:

- (a) He denied having organised the rebellion or co-operated with the rebel group. He admitted that he had contacts with the group with the knowledge of DARE and that he reported to DARE the contacts he had had with the group.
- (b) With regard to the kidnapping of Ndangana, Mataure said the Nhari group came to him and asked him for transport but he told them that he was not in charge of transport and that, in any case, they belonged to the military wing and their Commander was Ndangana who was present in Lusaka; they could go and ask anything from him. It was only the next day that he too learned that Ndangana and others were kidnapped.

- (c) Concerning the allegation that he took the rebel group to Tongogara's house, he said that he found people outside his house holding guns and they ordered him into a room together with Chiwota and Kangai. He was told that he was under arrest. Later he was 'ordered to drive his own car at gun point and there were some people and they said, "We are going to Tongogara's place because you have been appointed by DARE to be mediators in this affair and now that DARE refused our demands and you no longer want to see us, we want you to go to the front for the meeting. We are going to take everybody there. First of all we want you two." ' They drove to Tongogara's place. Mataure told the Chifombo meeting that Tongogara shouted that night saying, 'So you are involved in this thing? You are leading them here?' But Mataure explained that it was at gun-point.
- (d) Concerning other allegations, such as organising people on tribal basis, Mataure denied this and said that he was only carrying out his duty as a Political Commissar, but if his activities were misunderstood, he asked for forgiveness.

136. Charges were read similarly against all the accused who appeared before the Chimurenga General Council and even those who did not appear had their charges read in absentia. In the words of Tongogara, those convicted before this tribunal received death sentences. Convicted persons were said to have been sentenced to 'go home', a euphemistic term meaning sentenced to die. Tongogara also stated that John Mataure was one of those who died at the hands of the Party.

137. Persons sentenced to 'go home' were later found buried in mass graves at Chifombo and its environs. According to the evidence, when these bodies were exhumed after Chitepo's death, their hands and/or feet were tied, showing a system.

138. In Chigowe's own words before the Commission, whoever was found 'zig-zagging' and becoming a 'stumbling block' in the Party, should suffer at the hands of the Party. According to him, the Party had taken a 'vow' in this direction, which was permanent and irrevocable and so the executions at Chifombo were clearly in keeping with the Party's 'vow'.

139. Tongogara also admitted that specific members of the Party were sentenced to death in their absence at Chifombo. These included Simpson Mutambanengwe, Sanyanga, Santana, Mukono, Malianga and Madekurozwa, who were mostly Manyikas.

The Kidnapping of Madekurozwa

140. The rebellion had been contained and the cadres had been neutralised. A vicious witch-hunt characterised the period following the abortive rebellion; real and imagined participants were rounded up by Karanga elements for retributive justice.

141. As it came out in evidence, there was a bloody revenge by Karanga elements who were then convinced beyond doubt that the rebellion was Manyika-inspired. They believed that the Manyikas were out to eliminate them and usurp their positions. This was not to be, and as a result, sustained kidnappings, mass trials and executions followed.

142. As already related, on or about the 16th December, 1974, John Mataure was arrested after being suspended from the DARE for his alleged involvement in the Nhari rebellion.

143. On the 17th January, 1975, Joseph Masangomai, Richard Hove and Chimbodza were abducted at No. 64 Fir Road, Lilanda, on the pretext that they were going to attend a meeting at a ZANU camp near Lusaka. In the end they found themselves at Chifombo where they were to appear before the Chimurenga General Council which had been called to investigate the causes of the rebellion. Masangomai and Hove were only saved because their wives reported the disappearance of their husbands to the police and to the OAU Representative in Lusaka.

144. On the 7th February, 1975, Edgar Madekurozwa was abducted outside Chitepo's house at No. 150 Muramba Road, Chilenje South, Lusaka, while ZANU members were being addressed there by the Rev. Ndabaningi Sithole, former ZANU President.

145. Edgar Madekurozwa had been sentenced to death in his absence for complicity in the ill-fated plans of the rebels and also for refusing to surrender the two machine guns left at his house by Badza and others. He was battered to death and buried in a shallow grave near Lusaka. According to the evidence, he was kidnapped by Chigowe and his group. Chigowe had been waiting in a parked Land-Rover at Chitepo's house for the purpose.

146. Chigowe confirmed in his evidence to the Commission that he saw Madekurozwa at midnight on the day Rev. Sithole was addressing a meeting at Chitepo's house. He insisted, however, that though he had (a few days before) spent a night with Chitepo at Madekurozwa's house in order to see Madekurozwa, he never said or did anything to Madekurozwa on seeing him at midnight that day outside Chitepo's house. According to one witness who gave very positive evidence to the Commission on this incident, Madekurozwa was grabbed, forced into a car and driven along Leopard's Hill Road by Chigowe and other named persons. A shallow grave was dug in the bush and after that Chigowe hit Madekurozwa on the head with a pick three times; he died and they buried him there. The witness said that he was the person who led the Zambia Police to the spot and identified the shallow grave where Madekurozwa had been buried.

147. On the 8th February, 1975, a ZANU military cadre, Chikati, was abducted at the Lusaka International Airport while escorting an African National Council delegation.

148. What particularly happened to Nhari himself is not quite clear. According to Tongogara, when Nhari was recaptured at Petauke, he was handed over to him personally for and on behalf of the ZANU Party by the Zambian Authorities on the 7th February, 1975. Tongogara in turn took Nhari to Chifombo and left him there. This was after the Chimurenga General Council meetings at Chifombo at which Nhari had been sentenced to death in his absence for leading the rebellion. It is believed that Nhari was killed.

149. Simpson Mutambanengwe fled Zambia to escape a suspected kidnapping and went to Malawi. Noel Mukono, Secretary for External Affairs in the DARE, was also on the run as he was a wanted person.

150. Rumours to the effect that Chitepo himself had been kidnapped were rampant in Lusaka about this time, after his brief disappearance from Lusaka. Later, it was learnt that he had gone to attend the Chimurenga General Council at Chifombo. According to the evidence of Remba, Chitepo looked really rough when he surfaced. He told Remba that he had neither eaten nor drunk anything for the time he was away.

Composition of DARE and High Command Before and After the Rebellion

151. After the Review Conference of 1973, the following were appointed to the new High Command:

- (a) Josiah Tongogara, Chief of Defence—Karanga (SE)
- (b) William Ndagana, Chief of Operations—Manyika (NE)
- (c) Mayor Hurimbo, Political Commissar—Zezulu (NE)
- (d) Cletos Chigowe, Chief of Intelligence—Karanga (SE)
- (e) Robson Manyika, Chief Camp Commander (all camps)—Zezulu (NE)
- (f) Joseph Chimurenga, Field Commander (Botswana Border)—Shangana (SE)
- (g) Rex Nhongo, Field Commander (Luangwa to Ebira)—Zezulu (NE)
- (h) Sheba Gava, Field Commander—Karanga (SE)
- (i) Justin Chauke, Chief of Logistics—Shangana (SE)

It can be seen from the composition of this High Command that five were from the South-East (SE) and four from the North-East (NE).

152. As a result of the events which took place in December, 1974, the DARE (after the Chimurenga General Council meeting at Chifombo) approved the nomination of additional members to the above High Command. The members were:

- (a) E. Hondo, Military Attaché (SE)
- (b) D. Machingura, Camps Political Commissar (SE)

- (c) C. Chimedza, Provincial Political Commissar (SE)
- (d) J. Tungamirai, Provincial Political Commissar (SE)
- (e) D. Moyo, Provincial Political Commissar (SE)
- (f) J. Nyikadzinashu, Camps Security and Intelligence (SE)
- (g) E. Seke, Provincial Security and Intelligence (SE)
- (h) S. Chinomaropa, Provincial Security and Intelligence (SE)
- (i) P. Mpunzarima, Provincial Security and Intelligence (SE)
- (j) C. Dauramanzi, Deputy Logistics and Supplies Officer (SE)

153. As can be observed, all the additional nominated members came from the South-East Region. By this time, all the members of DARE (with the exception of Chitepo) were from the South-East Region. The entire composition of the High Command clearly shows a regional bias on the part of the DARE and High Command.

CHAPTER 6

CHITEPO A CAPTIVE

Chitepo and His Bodyguards

154. One of the concomitant results of the Nhari uprising was the decision taken by the DARE to provide its members with bodyguards. Mukudzei Mudzi, Kangai and Chigowe were assigned the function of allocating bodyguards. With the exception of Kangai and Hamadziripi, who, for reasons of lack of private transport facilities decided not to avail themselves of this privilege, the rest of the members of DARE were provided with guards.

155. Chitepo was by then under a heavy cloud. As already stated, after the Nhari rebellion and the kidnappings, strong measures were taken by the DARE and the High Command against the Nhari group and their many suspected supporters. Some were sentenced to death and others disciplined by suspension or expulsion from the Party. Some of these were not only Manyikas, but were also very close friends of Chitepo while others were actually relatives of his. Moreover, there was evidence of his having assisted the Nhari group though to a very small extent. He was also accused by other groups of favouring people from his own tribal group. After Chitepo was implicated at Chifombo, though not found guilty, many of the militants did not trust him. They believed that he still had links with those who had suffered punishment.

156. On the other hand, members of his own tribal group and his personal friends felt that he was condoning and even justifying gross injustice on his main supporters to please his enemies. They accused him of cowardice because he could not defend them and was even used to assist in capturing some of them. They were therefore shying away from him. Consequently, Chitepo was virtually a lone man after Chifombo.

157. Chitepo had three bodyguards, namely: Silas Shamiso, Sadati Kufamazuba and Alec Dovi. Shamiso had been captured by the Nhari group at Chifombo but was later rescued. Sadat had stayed at Tongogara's house before he went to live with Chitepo. At Tongogara's house, Sadat had learnt all about the Nhari rebellion and the degree of involvement of various persons, including Chitepo himself. All three bodyguards stayed with Chitepo at No. 150 Muramba Road, Chilenje South, from that time up to the morning of 18th March, 1975. Both Shamiso and Sadat had full military training including sabotage. Dovi, on the other hand, had had only a rudimentary training. Sadat was not only a bodyguard but also worked as a clerk-receptionist at the Liberation Centre in Lusaka. Dovi, was Chitepo's cook.

158. Another striking feature about these bodyguards was that while Tongogara and other members of DARE knew their guards well, even knowing their respective homes in Zimbabwe, Chitepo, neither knew his guards nor did he know their real names.

159. Chitepo knew that his bodyguards were simply spies for his colleagues in the DARE. Not unnaturally, therefore, Chitepo did not want these guards around him and frequently referred to them as a 'burden' and 'dirt'. According to the evidence, Chitepo wanted to divest himself of these guards, but he was powerless. He had become virtually impotent.

160. The Commission found from evidence that these guards played the role of spies on Chitepo rather than guarding him in the true sense of the word. They assiduously stuck on to him, watched his movements, and even listened to his private conversations with friends and relatives, and seldom allowed him to go anywhere alone. Chitepo had become a 'captive' in the hands of his colleagues in the DARE.

161. Some time prior to his death, Chitepo was observed by friends close to him and those who knew him intimately, to be labouring under stress of a kind that made him behave unusually strange. They could not understand how a man of such stable character and balanced judgment could stoop to doing things quite at variance with his avowed and acknowledged principles.

162. Those of the witnesses before the Commission who were in a position to judge the man, such as Remba, Zengeni, Sanyanga, Mutambanengwe, Richard Hove and Chikerema (to name but a few) concluded that he was no better than a captive, a hostage, and a virtual prisoner in the hands of his colleagues in DARE. He was frightened and behaved irrationally, quite altogether unlike himself. In short, Chitepo lived in a cloud of perpetual fear, and seemed to have become a victim of self-incriminations, that is, a sense of corroding remorse, for having acted against his better judgment; something grave enough to cause a disintegration of the man's personality.

163. In a number of ways, according to witnesses, he might have lost his thinking. His fellow Manyikas (like Sanyanga, Dziruni and Mutambanengwe) mistrusted him, for it appeared to them that Chitepo was aiding and abetting their adversaries, the Karangas, in kidnapping and disposing of them.

164. Instances of this are the covering-up statements about the disappearances of Party members such as Madekurozwa and Mataure, whom he knew to have been killed. When asked by the Zambian Authorities about these people, Chitepo assured them that they were all alive and well.

165. There were also the trials at Chifombo (over which Chitepo presided) of people who had taken part in the mutiny or been a party to it. Some of these were summarily sentenced to death and others arbitrarily punished.

166. It was hard for them to believe that a man like Chitepo could have gone to such lengths in the absence of duress or coercion.

Chitepo's Trip to Malawi

167. On the 4th March, 1975, Chitepo went on a trip to Malawi. He was accompanied by Hamadziripi and Chigowe (Secretary for Finance and ZANU Security Chief, respectively). According to the evidence of Hamadziripi, DARE took the decision and Tongogara, who was in Dar-es-Salaam at that time, gave approval. Chitepo told some witnesses that he had gone to Malawi to arrange for his mother-in-law to travel from South Africa to meet his family in Malawi, but he informed the Malawi Authorities that he was seeking help in the matter of food and other essential materials needed at the Front.

168. In reality, as subsequently became clear, Chigowe, had gone to act as 'bodyguard' to Chitepo, who at this time had become a virtual prisoner. The link in the chain of guards on Chitepo did not break. Normally, he moved with his bodyguards, Shamiso and Sadat. Whenever Chitepo went to State House in Lusaka, for instance, he left his normal bodyguards behind, and Gumbo and/or Kangai took their place.

169. When Chitepo, Hamadziripi and Chigowe arrived in Malawi on the 4th March, 1975, Hamadziripi was detained at Blantyre Airport by customs officials, while Chitepo and Chigowe proceeded to hotel lodgings at the Shire Highlands Hotel. When they later got in touch with the Airport, they learned that Hamadziripi was in Police custody at Police Headquarters, Zomba.

170. In Malawi, Chitepo got in touch with a Blantyre businessman of Zimbabwe origin (a Karanga and brother-in-law of Simpson Mutambanengwe), and arranged a meeting with him at the hotel.

171. They had discussions about the state of the Party in Lusaka, and Chitepo expressed a desire to see Mutambanengwe, a member of the Chimurenga General Council and ex-member of the DARE, who had fled Zambia and sought asylum in Malawi. They were, however, prevented from continuing their discussion by Chigowe's entry.

172. An opportunity to talk to Mutambanengwe was made possible when Chigowe wanted medical treatment for stomach trouble. The businessman offered to take him to a private doctor in Blantyre. On the way the businessman managed to extract revealing information from Chigowe about the state of affairs in the ZANU Party in Lusaka. Meanwhile, Chitepo was afforded a chance to talk to Mutambanengwe.

173. Chigowe pressed the businessman to disclose the whereabouts of Mutambanengwe. This aroused the suspicion of the businessman and led him to conclude that all was not well in ZANU.

174. While waiting to see the doctor, the businessman got out of Chigowe the names of the people whom the Party (meaning Chigowe himself and other Karanga leaders in the DARE) was out to eliminate by death. Chigowe wrote the names on a piece of paper which he tore from a magazine he found in the waiting room. Chitepo's name appeared prominently at the top followed by the names of other Manyikas. The following were the names on the list, which was later handed to the Malawi Police:

Chitepo
Mutambanengwe
Sekai
Madedkurozwa
John Mataure
Sanyanga
Dziruni
Santana
George
Mukono
Mautsa

The only non-Manyika name on the list was that of Mrs Sekai Holland, who lives with her husband in Australia. Mrs Sekai Holland is a Zimbabwean and was a representative of ZANU in Australia. Her crime, according to the evidence was that she was neutral in the struggle between the Manyikas and the Karangas for the control of ZANU. According to evidence, she had been accused by Hamadziripi of failing to support him in his secret bid for the Chairmanship of the DARE at the 1973 Biennial Review Conference.

175. The police in Blantyre acted on information received and arrested both Chitepo and Chigowe. Chitepo was subsequently released

but Chigowe remained in custody. When Chitepo was released, the Malawi Authorities told him that he was lucky to be alive in the company of the friends who had gone to Malawi with him—Chigowe and Hamadziripi.

176. After the arrest of Chigowe, Chitepo held a second and more lengthy interview with Mutambanengwe.

177. When Chigowe was shown a photostat copy of the list of names by the Commission, and asked whether he wrote them, he replied, 'That writing seems to be mine, but the name Chitepo was not there.' Although Chitepo's name was in his handwriting, Chigowe disclaimed authorship. According to Chigowe, he had written down the names of persons who were found by the Party to be involved in the Nhari Rebellion. He denied telling the businessman that the Party had decided to eliminate them.

178. The businessman was impressive in his evidence, but the Commission noted a great deal of prevarication on the part of Chigowe regarding the list. The Commission is satisfied that Chigowe wrote the names in question in the circumstances described by the businessman and for the reasons ascribed to Chigowe. Chigowe had gone to Malawi in fact armed, according to the businessman. It was also alleged by some witnesses that Hamadziripi was also armed but this was not confirmed by the Malawi Authorities.

179. Chigowe had told the businessman that he was on a mission in Malawi to secure the surrender to ZANU of Mutambanengwe by the Malawi Government. Failing that, he would shoot him on sight. The other alternatives were to send a death squad from Lusaka to eliminate him or arrange with the FRELIMO comrades in Mozambique to kidnap him.

180. As related earlier, after the businessman and Chigowe had left to see the doctor, Chitepo was able to have a private talk with Mutambanengwe without interference by Chigowe. Mutambanengwe was left with the impression, after the meeting with Chitepo, that the latter had undergone a change in behaviour that was altogether unlike him. He concluded that Chitepo was not a free man.

181. Before leaving Malawi for Lusaka on the 8th March, 1975, Chitepo left the following note (in his own handwriting) with the Malawi Authorities, advising against the release of his colleagues held in custody (Chigowe and Hamadziripi):

'Dear Mr Muwalo,

After a very useful meeting which you so kindly arranged and considering all the developments, it is my view that the longer the two are held the more chance there is of rectifying so many things which are wrong in the party. They are we believe engaged in a diabolical scheme which could wreck the struggle.

Sgd. *H. W. Chitepo*'

182. On Chitepo's return to Lusaka, the DARE and High Command were shocked to hear of the arrest of Hamadziripi and Chigowe and suspected that Chitepo had betrayed his colleagues to the Malawi Authorities. Chitepo was therefore forced to send a special letter of appeal to the Life President of Malawi, urging the release of these same men, a thing quite inconsistent (not to say contradictory) with his previous conduct in the matter.

183. After the trip, Chitepo became more solicitous about his personal safety and security. In his special meetings and interviews with people like Sanyanga and Mark Chona, and eventually with the Zambian President himself, a note of personal fear ran throughout.

184. His Excellency the President, Dr Kenneth Kaunda, had offered him protection of which Chitepo promised to avail himself should it become imperative. However, even at the last moment and in imminent peril to his life, Chitepo could not make up his mind.

CHAPTER 7

THE DEATH OF CHITEPO

Bishop Abel Muzorewa in Lusaka

185. As already stated, on the 8th March, 1975, Chitepo returned to Lusaka alone without his two colleagues, namely Hamadziripi and Chigowe. Immediately on arrival, he reported to the DARE about the events in Malawi following their trip there on the 4th March, 1975.

186. In his interview with His Excellency President Kaunda on Sunday the 16th March, 1975 (two days before he was killed), Chitepo told him that the situation in ZANU had got out of control and that his life (Chitepo's) was in danger. He told the President that he was being followed closely by his colleagues.

187. The President, according to the evidence, asked Chitepo a direct question on who was the greatest threat to his life. In answer, Chitepo named Chigowe, Tongogara and Hamadziripi (Karangas), as the greatest threat to his life. Chitepo again availed himself of this opportunity and earnestly solicited the intervention of President Kaunda in requesting the Malawi Government to release Chigowe and Hamadziripi.

188. On Monday the 17th March, 1975, Bishop Abel Muzorewa arrived in Lusaka, from Zimbabwe. He was met at the International Airport by Chitepo, Chikerema and other ANC members. Together they drove to State House, where they had a preliminary meeting up to about 1700 hours that day. Bishop Muzorewa had come to Lusaka, among other things, to make a special broadcast on Radio Zambia.

189. At the State House meeting, according to the evidence of Chikema, Chitepo was flanked by his former ZANU colleagues in DARE who were virtually telling him what to say. He did not express any independent views even where the occasion demanded it. Chitepo's loss of character was clearly noticeable at this meeting. According to the evidence, the Bishop said to Chitepo, 'Why can't you speak your mind directly?'

190. Having worked out an agenda for a series of meetings to be held with the Bishop the next day, the meeting adjourned. Relating what happened following the adjournment, Tongogara said, 'We all left. Mudzi left in the Chairman's car. Gumbo, Kangai and myself left in Gumbo's car. We all went to the Chairman's place in Chilenje South. We got there and had a consultative meeting. Since we were going to have a meeting at 2.30 we wanted to get down some points. It did not take us long. Between 7.30 and 8.00 p.m. the meeting was over. So we all left and left the Chairman there. That was the last time we saw the Chairman.'

191. This is supported by the evidence of Gumbo, Kangai and Mudzi. Chitepo was left in his house together with his bodyguards, Shamiso, Sadat and Dovi. Not long after his colleagues had left, Chitepo went out together with Sadat in Chitepo's Volkswagen Saloon Car, Registration No. EY 7077, leaving both Shamiso and Dovi behind. The time was after 2000 hours. He visited two places that night; first he went to Remba's house and then to Lorry's house. Sadat, who accompanied Chitepo on this occasion said that at both houses, he (Sadat) remained in the car. He added that they returned home at about 2100 hours.

192. Chitepo parked his car in the car port of his house, locked the gate and went to bed. Sadat also went to bed. The evidence before the Commission is that Chitepo did not go out again that night; so all seemed to have been quiet in Chitepo's house for the rest of the night.

Planting of the Bomb

193. After initial difficulties, the Commission got concrete evidence as to how the bomb was planted on to Chitepo's car. The decision to kill Chitepo was taken by the High Command under the Chairmanship of Tongogara on Saturday the 15th March, 1975. This decision was endorsed by the members of DARE who were present in Lusaka at that time. These were Mudzi, Gumbo, Kangai and Tongogara. These often met without Chitepo after the events of December, 1974.

194. The return of Chitepo from Malawi alone, the arrest of Hamadziripi and Chigowe, the possibility of Chitepo having met Mutambanengwe in Malawi, Chitepo's meetings with Zambian Government Officials without any of his colleagues being present and the report of imminent arrest of ex-ZANU leaders (Tongogara said that on the 15th March he heard that he and other ex-ZANU leaders were going to be arrested by the

Zambian Authorities) were the immediate reasons for the decision to kill Chitepo. The High Command and DARE also feared that Chitepo would reveal the mass executions of suspects which took place before, during and after the Chimurenga General Council at Chifombo.

195. After the decision to kill Chitepo had been taken by the High Command and the DARE, two men were sent to a ZANU transit camp on the 15th March, 1975, 'to bring a "parcel" from Rex Nhongo'. The two were Charles Dauramanzi and Patrick Mpunzarima. They returned on Monday, the 17th March, 1975, with the 'parcel'. On this day, Tongogara gave Chimurenga, Rudo and Short 'a special mission'. In his statement to the police, Sadat said that while he was at the Liberation Centre, Chimurenga gave him a parcel containing an unconnected bomb at 1600 hours on Monday the 17th March, 1975. Chimurenga told Sadat that the parcel contained a bomb which was to be used to kill Chitepo and warned that if Sadat revealed anything before the mission was accomplished Sadat would be killed.

196. When he got to Chitepo's house, Sadat hid the bomb in the kitchen. Later that night, after he and Chitepo had returned from a visit to the houses of Remba and Lorry, Sadat woke up, and, using another key, unlocked the gate to enable Chimurenga to enter any time that night.

197. When Chimurenga knocked at his window, Sadat woke up and handed the bomb to Chimurenga. He saw Chimurenga lying under the driver's side of the vehicle. Chimurenga told Sadat that the bomb would explode after driving for 90 metres and that Sadat should come out after a distance of 45 metres. While closing the gate, Sadat saw Rudo and another man who he could not identify.

198. Another witness confirmed that the High Command (of which he was a member) had decided to kill Chitepo and that on Monday, the 17th March, 1975, Manyika was instructed by Tongogara to go to Chitepo's house that night to check whether Joseph Chimurenga, Rudo and Short were going to be there. Manyika went there and saw these three men 'busy on the car'. He reported back to Tongogara but did not inform the Zambian Authorities or Chitepo. He feared that he might himself be killed if he reported the matter.

199. In his evidence to the Commission, Chimurenga confirmed that he had been given a special mission to commence at 1600 hours on 17th March, 1975, together with Rudo and Short. The special mission involved the use of explosive chemicals, though he emphasised that the mission had nothing to do with the death of Chitepo. He vehemently denied being involved in any way or taking any part in the death of Chitepo. Chimurenga, however, admitted that the meeting of the High Command on the 23rd March, 1975, although it lasted the whole day, did not discuss who or what could have killed Chitepo. All the members of the High

Command knew how Chitepo had died. He told the Commission that even he (Chimurenga) knew that it was Chitepo's political colleagues who were responsible for Chitepo's death. He outlined the motive as being Chitepo's suspected involvement in the Nhari uprising, the arrest of Hamadziripi and Chigowe, and the rumoured arrest of ex-ZANU leaders. What he denied, however, was personal involvement in Chitepo's death and he was indignant about some people who were placing responsibility for Chitepo's death on him.

Chitepo Killed in Bomb Blast

200. On Tuesday morning, the 18th March, 1975, at about 0800 hours, Chitepo entered his car and while reversing it, an explosion occurred which killed him and his bodyguard Shamiso, who was sitting beside him. A Zambian boy, Sambwa Chaya, who was playing at the adjacent house, also died as a result of the injuries he suffered from the explosion.

201. After the bomb incident at Chitepo's house, the house was sealed off from the public. An investigating team of bomb disposal officers led by Sandford Mwenda, visited the scene. They found that extensive damage was caused by the explosion. Windows of nearby houses, including those of Chitepo's house were shattered. The explosion caused a crater of about 20 cm deep and 35 cm wide.

202. In his evidence before the Commission, Mwenda said that when they got to the place, they found two bodies which were identified as those of Chitepo and Shamiso. Sadat had already been taken to the hospital by the police. As a result of the explosion, Chitepo was thrown to the rear of his VW car and killed. Shamiso was thrown to the left side of the car and was also killed.

203. In his findings, Mwenda outlined the damage to Chitepo's car as follows:

- (a) The right front wheel, wheel-drum, axle, steering rod, and the rod connecting the steering box with the wheel-drum were damaged.
- (b) The steering rod had pop marks on the right side facing the right wheel fender.
- (c) The front axle had some pop marks on the side facing the explosion.
- (d) The boot cover was ripped off and had pop marks in the right upper part next to the refuelling point above the right fender.
- (e) The fuel tank was punctured immediately below the refuelling tube.
- (f) The ventilator panel had pop marks on the right side immediately above the right fender.
- (g) The right wheel fender was completely destroyed.
- (h) The roof was ripped off.
- (i) The front part of the driver's seat was depressed.

204. On the basis of his findings, Mwenda assumed that 'the charge or bomb was placed inside the right front wheel fender, close to the boot wall, towards the cab adjacent to the brake, accelerator and clutch pedals, and immediately below the fuelling tube'. According to his findings, the bomb used to blast Chitepo's car was an 'improvised' one, which could be constructed in one's backyard and taken to the scene. He said that the bomb was 'pre-prepared', that is to say, it was brought to the target having been prepared elsewhere and was fixed by the use of magnets. Other possibilities were the use of rubber bands, wires or strings, but he discounted this, having regard to the nature of the charge. In his view, therefore, magnets were used to fix the charge.

205. From their investigations, Mwenda and his team came to the conclusion that the explosive used in the construction of the bomb was TNT (Trinitrotuleune), a very powerful explosive. Considering the damage caused, it was concluded by the expert that the explosive used was about 1.6 kg. The charge was constructed in a brass metallic container which provided the fragmentation effect.

206. According to Mwenda, the bomb was initiated (set off) by a pull release fuse incorporated with a safety fuse to provide the time delay. Other means of initiation were also taken into account by the team, such as chemical delay, mechanical time delay, lead fuse and others; but they were thought inapplicable in the circumstances.

207. Finally, Mwenda in his concluding statement to the Commission said, 'The bomb in this case seems to be similar to the one that took place at the ZAPU residence here in Lusaka at Emmasdale. The construction is about the same. We feel that this could have been an inside job within the ZANU circles, considering that these people have basic knowledge in such matters.'

208. According to Sub-Inspector Judah Mulomba of Zambia Police who arrived at the scene seconds after the explosion, he found three people lying on the ground. He rushed back to collect blankets from the Chilenje South Police Station, a distance of 150 metres from Chitepo's house. When he returned and while covering the bodies he noticed that one of the three people, Sadat was still alive and arranged for him to be taken to the hospital immediately.

209. Sub-Inspector Mulomba disputed the claims made to the Commission by Dovi that Dovi had helped Sadat out of the car and that Dovi had collected blankets from Chitepo's house to cover the bodies. To emphasise his point, Sub-Inspector Mulomba said, 'I do not know but it sounds like he (Dovi) was trying to amuse the people here (the Commissioners). The state in which he was; he had no power to touch anything.'

210. As to whether a person could have been in Chitepo's car and at the same time survive, both Mulomba and Inspector Abiya Siwiti (another witness before the Commission) held the view that this was not possible, taking into account the extent of the damage to the car.

211. However, in the opinion of Mwenda, the bomb expert, the possibility existed for Sadat to have survived the explosion if he had been in the car, since the back seat was not damaged. Mwenda argued that it was not possible for Sadat to have been standing outside the car when the explosion occurred. He said, 'If he had been standing at the door (door of Chitepo's house) he would have died in the same way that the Zambian child died.' In Mwenda's view, Sadat was protected by the two bodies of Chitepo and Shamiso in front of him. The injuries on Sadat according to Mwenda were more consistent with his having been in the car at the time of the explosion than outside it. He said, 'Some of the pieces that hit Sadat in the stomach show that he had been in the car, because most of the injuries were on his right side.' Mr Mwenda said further, 'My response as to whether or not Sadat was in the car is based on the analysis of the injuries he suffered.'

CHAPTER 8

THE AFTERMATH OF CHITEPO'S DEATH

The Burial of Chitepo

212. Soon after the death of Chitepo, Mrs Victoria Chitepo and some of Chitepo's relatives were going through Chitepo's wardrobe looking for suitable clothing in which to dress the body. Mrs Chitepo told the Commission that when they took some of the clothes to the laundry, she found the following letter (in Chitepo's own handwriting) in one of the pockets:

'Dear Vicky,

I wrote you from Malawi a letter, I hope you have by now received it. I did not there mention that Hamadziripi had been detained by the Malawi Police. After writing you, I too was arrested together with the third comrade who is still there in detention. They later released me. It is difficult to know the reason, but one police officer said to me "you are lucky, these friends of yours meant only ill against you", and someone else said that the other man, not Hamadziripi, had given him a list of men I suppose the Karangas intended to eliminate. The list included me and most of the Manyikas as well as Sekai. I am not in fear of my life immediately, but all the actions of some of my comrades are suspicious and distrustful. I talked to the Minister and after all these events, he repeated that you and the children are welcome. In general your visit should not be affected by these events. More later.

Love, Yours, Herbert.'

213. One witness, in commenting on the behaviour of ZANU leaders at the scene of the crime, said that they were standing quite apart, aloof and unconcerned, as if Chitepo had been a total stranger to them.

214. The first concerted action taken by ZANU leaders was the issue of a Press Release from the ZANU Publicity Office in which Chitepo was referred to as the National Chairman of ZANU. This was a direct flouting of the Unity Accord of December, 1974.

215. The DARE next embroiled itself in the funeral arrangements of the deceased Chitepo. They felt that Chitepo having been a militant leader of ZANU, the Party should make all funeral arrangements and that the mourners should gather at a place selected by the Party.

216. Chitepo's family, however, strongly disputed this and instead gathered at Sanyanga's house. When Chitepo's house was opened to the mourners, both the Party supporters and the relatives used to gather there from time to time.

217. A State funeral attended by President Kaunda, Bishop Muzorewa, top UNIP and Government officials, Delegations from neighbouring African countries, as well as Members of the Diplomatic Corps and Representatives of Liberation Movements took place on Saturday the 22nd March, 1975 (which was declared a Day of National Mourning in Zambia). Silas Shamiso and young Sambwa Chaya were buried next to Chitepo at Leopard's Hill Cemetery. The attendance at the funeral was one of the largest ever. The interest shown by the Zambian Government in the funeral arrangements led the DARE to accuse the Government of complicity in the death of Chitepo.

Ex-ZANU Leaders on the Run

218. After the burial of Chitepo, the DARE, according to the evidence, convened a secret emergency meeting at which decisions were taken about the immediate future of some of the Members. Soon after, Tongogara held a meeting with the members of the High Command. He explained to them that the DARE felt that he and others should not be arrested by the Zambian Authorities but that they should leave Zambia. The High Command was sceptical about such a decision, and pointed out that it might be an act of treachery by the other members of the DARE. In any case, his flight would surely be regarded as incriminating evidence for the death of Chitepo. Tongogara was undecided, and reported back to the DARE, which remained resolute in its orders. In the face of this, the High Command gave in. It was therefore decided that Tongogara, Chauke, Chino-moropa, Dzino and Josiah Tungamirai should go to Mozambique until the dust had settled. Some members of the High Command were to go to East Africa, and these were Ndangana, Manyika and Rex Nhongo. In Lusaka, there were going to remain Chigowe, Chimurenga, Mpunzarima and Dauramanzi. Information had been received that the Zambian Authorities had decided to arrest all ex- ZANU leaders.

219. Chigowe, ZANU Chief of Security, is said to have arrived in Lusaka from Malawi on the 19th March, 1975, a day after the assassination of Chitepo. He was, on the order of DARE, to stay in Lusaka together with others in accordance with the deployment plans of DARE following Chitepo's death.

220. However, Chigowe and others felt very uncomfortable after hearing that some people had been arrested and decided to flee the country. He decided to go to Tanzania. He had been informed since Monday the 24th March, 1975, that he was a wanted person by the Zambia Police. According to his evidence, as soon as he got this information, he started 'dogging' the police until he finally left Zambia on Friday the 28th March, 1975.

221. Before leaving Zambia, Chigowe took his wife to her relatives in Zambia, since he expected to be away for a long time. This clearly shows that Chigowe had no intention at the time of making a voluntary return to Lusaka until the situation had calmed down. He was proceeding to Uganda by way of Tanzania.

Tongogara's Startling Revelations in Mozambique

222. Tongogara proceeded first to Chifombo to address the ZANLA General Staff there, and to acquaint them with the situation in Lusaka as well as to explain his mission. They were rather of the opinion that he should go to Zimbabwe instead, where he could be of practical usefulness to the Freedom Fighters there. Tongogara disagreed with them, pointing out that his presence at the home front would be dangerous not only to himself personally but also to Zimbabwe nationals in Southern Rhodesia.

223. In his statement to the Mozambique Authorities, Tongogara said that the DARE had sent him and others on a mission to FRELIMO in order to make arrangements about bases and the reception of recruits to and from Zimbabwe. He also disclosed that he had been sent to expose the Zambian Government 'for the obstructive role it was playing in the Zimbabwe Liberation Movement, with special reference to ZANU, and the DARE in particular, including the arrest of ex-ZANU leaders after Chitepo's death'. Tongogara's statement to the Mozambique Authorities is a comprehensive statement, which incorporated some startling revelations, supplied many vital missing links and confirmed much of what was already known in connection with the state of affairs in ZANU immediately before and after the assassination of Chitepo.

224. Regarding the Unity Accord, Tongogara said ZANU had been wholly opposed to it, and the acceptance of the Accord was not regarded as a genuine act by the Party. ZANU had yielded to pressure from the African States on which it depended for support in the national struggle. The only language Ian Smith understood was that of the gun. Tongogara revealed that Rev. Sithole, in spite of the pledge to merge ZANU into ANC, secretly advocated armed struggle by ZANU as a separate body.

225. When asked to explain how Chitepo died, Tongogara told the Mozambique Authorities that the cause could be traced to any one of the following, which he called 'areas' and not to a specific individual as such:

- (a) Chitepo's own compatriots who were counter-revolutionaries. This included people like Mutambanengwe, Sanyanga, Mukono and others who hated Chitepo for the way they thought he condoned the injustices and deaths of his relatives and friends.
- (b) The Malawi trip and the arrest of his two colleagues, Hamadziripi and Chigowe and his return without them.
- (c) The security at Chitepo's house where he had bodyguards placed there by the Party and who were not supposed to sleep, which meant that the placing of the bomb 'could only be with the co-ordination of Sadat or the other guards'.

226. As regards the involvement of Ian Smith or any other racist agency in the death of Chitepo, Tongogara was categorical in exonerating them. On this question, Tongogara said, 'Chitepo definitely we must rule out the question of Smith killing Chitepo. I must rule out the question of any other external influence. This is out. Chitepo was not killed by ZANU as a Party. That I want to be honest. We never sat down to decide step by step, but Mataure died at the hands of ZANU as a Party.'

227. Tongogara amplified the position further. He said 'Mataure died at the hands of the Party but Chitepo not at the hands of the Party ZANU. This is why I was saying "Not ZANU". Chitepo was a victim of division. I want to be very honest with you. Chitepo was a victim of division and was a victim of the internal squabbles. Chitepo was a victim of what you call clashes of confidence in each other within the leadership; Chitepo died at the hands of this.' The death of Chitepo, Tongogara admitted, should not be attributed to ZANU as a Party but rather to the members that constituted the Supreme Council, the DARE and the High Command.

The Arrest of Ex-ZANU Members

228. Meanwhile, the Zambia Police embarked on an intensive investigation and as a result of information received, the offices of ZANU were closed between the 20th and the 22nd March, 1975. By the 23rd March, 1975, police investigations had progressed to the extent where a decision was made to arrest a number of ex-ZANU officials. A total of 55 persons were arrested. On the 24th March, 1975, the number rose to 70. After interviews, some were released immediately, while others were detained. At the time of the Commission's first sitting in July, 1975, the number of ex-ZANU detainees was 49.

229. Chigowe was arrested by the Tanzania Authorities soon after entering the country and was sent back to Lusaka. Meanwhile, Tongogara and the others who had fled to Mozambique had been surrendered to the Zambian Government.

230. Further Police investigations led to the discovery of mass graves around Chifombo and other areas in Mozambique. The body of John Mataure was identified among the bodies exhumed. The death of Chitepo led to the discovery by the Zambian Government of a multiplicity of atrocities, kidnapping and killing, which had been clandestinely carried out by ZANU.

CHAPTER 9

THE FINDINGS OF THE COMMISSION

A. Events and Circumstances of Chitepo's Death

231. In our first term of reference, we were required to *inquire into the events and circumstances leading to the death of the late Herbert Chitepo on the 18th March, 1975.*

232. From the evidence, it is clear that there existed a state of bitter struggle and conflict in ZANU, particularly in its Executive, the DARE, especially after the introduction of Biennial Review Conferences at which members of DARE were elected. The all-consuming passion for power was pursued to the extent that the objective of Zimbabwe's liberation was submerged beneath the weight of personal and tribal ambitions. The Commission found abundant evidence of tribal and regional manifestations in ZANU, both in the Military High Command and the DARE itself.

233. It is clear from the evidence and other material facts at the disposal of the Commission, that Chitepo was regarded as an obstacle or a 'stumbling-block' in the pathway to individual and collective ambitions of the Karanga elements in the DARE.

234. The permanent removal of Chitepo from the scene by death was an obvious sequel to the intense and persistent struggle for power and deep-rooted fears that prevailed within the Party, particularly in the DARE.

235. The Commission found that there was a division between the military and political leadership within ZANU which led to a crisis of confidence. In their secret bid for ultimate power and control of ZANU, the Military High Command wanted the leadership of the Party to be militarised.

236. The Commission has found that adequate grounds existed to support the grievances and contentions of the fighting cadres in the front line. No attempt was made by the Military High Command or the DARE to ameliorate the hard conditions to which the cadres were subjected. The members of DARE never visited the war zone, and appear not to have taken any real interest in the welfare of the cadres against spies and other enemy agents in the ranks of the fighting forces. The Commission found further that there was lack of integrity and honesty among the ZANU leadership.

237. The Commission found that after the abortive 'Nhari Rebellion', and particularly after the Chifombo trials over which he presided, Chitepo became a suspect and was virtually a captive in the hands of his colleagues in DARE.

238. It is clear from the evidence that those found guilty, including John Mataure and the Nhari group, were executed on the orders of Tongogara and the High Command and with the knowledge and connivance of Chitepo and the Karanga members of DARE. Those connected but who were not at Chifombo Chimurenga General Council, like Mukono, Mutambanengwe, Madekurozwa, Santana and Mpini were sentenced to death and were to be executed whenever they were found. Most of these were Manyikas like Chitepo and were very close to him.

239. The charge or belief held by the Karanga elements against the Manyikas, that the latter had instigated or organised the 'Nhari Rebellion' appears to the Commission to have been unfounded. There was no tenable evidence before the Commission that the Manyika master-minded the mutiny as the Karangas maintained, beyond trifling incidents that could be immediately dismissed for want of substance. At worst, the Manyika merely understood the grievances of the Nhari group and sympathised with the young men. They preferred a reconciliation rather than confrontation with the kidnappers.

240. ZANU lacked a well institutionalised machinery for regulating and controlling its affairs. This resulted in irregular and criminal acts by the DARE and the High Command. It also accounted for much confusion in the Party, bordering on a state of anarchy.

241. Much as it was expedient to offer a wide scope to the Zimbabwe nationalists in their militant struggle for independence with minimum interference in the domestic or internal affairs of the Party organisation, the necessary pre-requisite of ensuring that the freedom fighters prosecute their aims and conduct themselves in Zambia within the bounds of propriety and legality was not strictly observed by the Zambian Authorities. The latitude allowed by the host country far exceeded these lines, and it is apparent that the Government of Zambia did not keep a watchful eye on all the activities of the liberation movements operating within their territory. The Government assumed that liberation movements had their own intra-Party machinery for disciplinary and orientation purposes. ZANU, for instance, was regarded as a sort of Sovereign Government-in-exile, hence the non-interference in the conduct of its internal affairs.

242. In the matter of the security of Zimbabwe nationals in the political activity of freeing their country, the Zambian Government could be said to have done all that could possibly be done in the circumstances. Sufficient security measures were taken wherever there were freedom fighters, including the Liberation Centre itself, the Headquarters of all liberation movements in Lusaka.

243. The Commission found that it was impossible for a front line or host country to protect every full-time freedom fighter. The only real protection that a man in the liberation struggle enjoys is unity and understanding among his own colleagues.

244. The Zambian Government relied and acted on the assurance of ZANU and of Chitepo in particular and took it for granted that nothing untoward was done to the guilty nor was any form of illegality perpetrated. In fact, this turned out not to have been the case. For example, after handing over Nhari and his colleagues to ZANU on this understanding, instead of adopting the proper disciplinary measures as was expected, ZANU summarily condemned them and put them to death. Many mass executions of this kind took place following the Nhari revolt.

245. Since the Zambian Government was not represented in the camps of freedom fighters, it lacked information as to what was being planned by any liberation movement or by ZANU's DARE or Military High Command. As there was a sharp tribal division between Manyikas and Karangas, the Authorities could not distinguish between rumours and reliable information.

246. Whenever the police had concrete information, they took prompt action to prevent any irregularity against established law. At one time, for example, the Police, on receiving information, wanted to intervene at an indoor meeting between Tongogara and Mataure on the one hand and the Nhari group on the other; they also acted promptly and rescued people who had been kidnapped by the Nhari group. They only hesitated where firm assurances were given by the DARE that nothing untoward or irregular would take place. No acts of violence were permitted by the Zambian Authorities and strict surveillance was kept on the illicit use, possession and display of arms by the freedom fighters. Beyond this, the freedom fighters were left to manage and direct their own affairs in the conduct of the struggle.

B. Facts of and Surrounding Chitepo's Death

247. In our second term of reference, we were required to *Establish the facts of and surrounding Chitepo's Death*.

248. The facts of and surrounding Chitepo's death were very clear to the Commission. The conduct of the members of DARE before and after Chitepo's death as summarised below is particularly revealing:

- (a) They had put Chitepo in virtual custody of the cadres who were suspicious of and hostile to him but who were loyal to the Karanga members of DARE.
- (b) They never left Chitepo alone; they had to arrange for some of them to travel with him to Malawi; and whenever he visited State House in Lusaka, he was usually accompanied.

- (c) The members of DARE and the High Command were very indignant when Chitepo returned to Lusaka leaving his two colleagues (Hamadziripi and Chigowe) in the custody of the Malawi Authorities. Also, the fact that Chitepo sometimes had meetings with Zambian Officials unaccompanied, coupled with rumours of imminent arrests of ex-ZANU leaders ultimately led the members of DARE and the High Command to plan his assassination.
- (d) Members of DARE, Mudzi, Kangai, Gumbo and Tongogara, were with Chitepo right up to the Monday evening previous to the Tuesday morning of his death.
- (e) The statements of Sadat Kufamazuba to the Police and the evidence of Robson Manyika (which the Commission accepted), clearly show how the planting of the bomb on to Chitepo's car was masterminded by Tongogara and carried out by Joseph Chimurenga, Rudo, Short, Sadat and others on Monday night under the directions of Tongogara himself.
- (f) The Commission had evidence of how, at No. 150 Muramba Road, an explosion occurred at about 0800 hours on the morning of Tuesday the 18th March, 1975. Chitepo's body and that of Shamiso were found near Chitepo's wrecked VW Saloon car No. EY 7077. A Zambian boy Sambwa Chaya, who was playing at No. 148 Muramba Road, died as a result of the injuries; while another bodyguard of Chitepo, Sadat Kufamazuba was treated for injuries sustained as a result of the explosion. The explosion occurred when Chitepo was reversing the car to go to work.
- (g) The behavioral appearance of the members of DARE at the scene of the incident did not show that they were mournful. They did not go near the bodies and they issued a well-drafted press statement on that very day just as if they had known what was going to happen.
- (h) On hearing rumours that some were to be arrested, members of the High Command literally ran away from Zambia instead of being eager to stay to explain and assist the Zambian Police.

249. The Commission found no substance in the allegations made against the Zambian Government by the ex-ZANU leadership that, by arresting them, the Government was sabotaging the Zimbabwean revolution and wanted to destroy ZANU as a Party. Indeed, the material evidence at the disposal of the Commission points to the contrary. The Government arrested and detained the ZANU leaders only after receiving information indicating their apparent involvement in, and in order to fully investigate, the criminal activities perpetrated on Zambian soil. The Zambian Government could not (even if they had wanted to) turn a blind eye to the murder of such a prominent person as Chitepo, committed in broad daylight in a crowded residential area.

C. Any Possible Involvement of Racists or Imperialists in Chitepo's Death

250. In our third term of reference, we were required to *investigate and establish whether any racist or imperialist agents or counter-revolutionaries or saboteurs were directly responsible for Chitepo's death.*

251. From the evidence adduced before the Commission, none of the possibilities listed above could have been directly responsible for Chitepo's death, and so all of them could be completely ruled out. The way Chitepo was killed was such that racists, imperialists or their agents could not have done it, unless, of course, it were suggested that those responsible for the crime had been in the pay of a racist or imperialist regime. This could, itself, be far-fetched in this particular case. Certainly there was no clear evidence that those who committed this crime were acting on behalf of racists or imperialists.

252. There was no evidence of counter-revolutionaries or saboteurs being involved, unless these terms were interpreted to include anyone whose action unintentionally results in delaying or confusing the liberation struggle (as Chitepo's death has temporarily done). In this sense, even a radical member of DARE can be a counter-revolutionary or saboteur. The problem in labelling such a radical as a counter-revolutionary or saboteur is that he might have intended to speed up the revolution but merely miscalculated the reaction of the host country or the effect of his act upon the revolution. Indeed, one of the reasons given to the Commission for assigning bodyguards to Chitepo was to protect him against real counter-revolutionaries and saboteurs. Strong security measures were taken by DARE and High Command in guarding Chitepo's house. It was impossible for any but those close to him (like his personal friends and close political colleagues) to gain entrance into the premises of his home.

253. In the closing days, Chitepo himself repeatedly remarked to friends, relatives and Government officials that he was afraid for his life at the hands of those politically close to him. It got to a point where the President of Zambia offered him protection.

254. The Malawi Authorities told him that he was lucky to be alive in the company of Hamadziripi and Chigowe who had accompanied him as his 'bodyguards' to Malawi. In Blantyre, Chigowe wrote a list of people to be executed among whom was Chitepo himself.

255. The Commission is therefore satisfied that Chitepo's violent death was not caused by any racist or imperialist agents, counter-revolutionaries or saboteurs. Almost all the witnesses whose evidence carried substance discounted this possibility. They had no difficulty in coming to the conclusion that the crime could only have been committed by persons in the DARE and the Military High Command. These had the means, the motive and the opportunity to carry out the crime.

D. Identity and Motive of Assassins

256. In our fourth term of reference, we were required to *investigate and establish the identity and the motive of the person or persons responsible for Chitepo's death.*

(a) IDENTITY OF THE ASSASSINS

257. As already stated, the Malawi Authorities told Chitepo that he was lucky to be alive in the company of Hamadziripi and Chigowe who had accompanied him as his 'bodyguards' to Malawi. In Blantyre, Chigowe listed people to be executed among whom was Chitepo himself.

258. In a statement to the Commission, Chigowe said, 'Our Party has "a vow" which the Party studiously prosecutes, that is, any member of the Party who is found in a zig-zagging manner and becomes a stumbling-block, he is to suffer at the hands of the Party.' Something to the same effect was admitted by Tongogara in his statement to the Mozambique Authorities. The evidence clearly shows that Chitepo and other Manyikas were 'stumbling-blocks', more particularly immediately before and after the Nhari Rebellion.

259. The Commission found that Chitepo had been placed in virtual custody of the cadres who were suspicious and hostile to him but who were loyal to the Karanga members of DARE. On his return from Malawi the members of DARE and the High Command were very angry to see that he alone returned, leaving his two colleagues (Hamadziripi and Chigowe) in the custody of the Malawi Authorities. In his letter of the 10th March, 1975, addressed to his wife (Mrs Victoria Chitepo) Chitepo described how he was suspicious and distrustful of his two colleagues (Hamadziripi and Chigowe) who had just travelled with him to Malawi.

260. The members of DARE and the High Command decided on the 15th March, 1975, to kill Chitepo for reasons already stated. On that day, Dauramanzi and Mpunzarima were sent to collect a bomb from Rex Nhongo. They returned on Monday, 17th March, 1975, when Chimurenga handed the bomb to Sadat Kufamazuba for safe keeping until midnight when Chimurenga, Rudo, Short and Sadat planted the bomb on the driver's side of Chitepo's car. The four men were acting under the directions of Tongogara. On the same night, Tongogara sent Robson Manyika to Chitepo's house to go and check whether Chimurenga, Rudo and Short had carried out the mission. Manyika said he did all this and reported back to Tongogara. This account is consistent with the corroborative evidence of the members of DARE and the High Command before the Commission and with their demeanour when they appeared before us.

261. The members of DARE and the High Command could all, therefore, be indicated as principals to the murder of Chitepo because, jointly and severally, they actively desired to bring this about, and did, in fact, bring it about. Although only one individual may have completed

the final act to consummate the crime, and though some may not have been present (as in the case of Hamadziripi and Chigowe who claim to have been in Malawi at the material time), they could all be charged for Chitepo's murder.

262. Members of the High Command who gave evidence admitted that on hearing rumours that some of them were to be arrested, they scattered and ran away from Zambia instead of being eager to stay to explain and assist the Zambian Police. So, the whole evidence (both circumstantial as well as direct) with regard to the assassination of Chitepo points inevitably and clearly to his colleagues in the DARE and the High Command, especially Tongogara, Chigowe, Mudzi, Gumbo, Kangai and Hamadziripi.

(b) MOTIVES OF CHITEPO'S KILLERS

263. The Nhari Rebellion and subsequent violent kidnappings were erroneously regarded by the Karanga as having been masterminded by the Manyika leaders in DARE. The people who were kidnapped in Lusaka were Karangas and their close associates, hence, the Karanga backlash against the Nhari group and their Manyika sympathisers.

264. Henry Hamadziripi, in his evidence before the Commission, hit the nail on the head when he indicated that the motive for the assassination of Chitepo was REVENGE.

265. The mutual suspicion and hatred among the tribal groups was a cause of strain and stress for Chitepo, and could very well have given rise to his remark that he did not know which to sacrifice, his life or the Party. After the mass executions of the Nhari group as well as the close associates of Chitepo, like John Mataure and Edgar Madekurozwa, there was fear that, if Chitepo was left at large, he would quite possibly divulge the criminal activities committed by the ex-ZANU Executive. It was feared that he would incriminate or cast grave suspicion on his former colleagues by implicating them in the atrocities that indeed came to light after his death. Their fear was strengthened by the fact that they were moving into the ANC and were to be subjected to the discipline of that body and not of ZANU's DARE in which they wielded power.

266. This was not to be left to chance, and the only way to prevent it was to permanently silence Chitepo. The act of forcibly assigning bodyguards to him to be with him wherever he went, and to be present at any discussions he held with people, abundantly testifies to this.

267. Moreover, members of the DARE and the Military High Command stood to gain from the rich harvest of a liberated Zimbabwe. They would, hopefully, occupy high posts in the black government because they had been the 'Zimbabwe Government-in-exile'. They would also rightly claim to have fought and emancipated Zimbabwe from white domination, and made the country independent. Therefore, they would be entitled to the highest offices in the first Government of Zimbabwe.

268. There was evidence before the Commission that Tongogara had openly remarked that he saw no reason why he should not be the first President in an independent Zimbabwe through the barrel of the gun.

Tongogara appeared to the Commission as a man possessed of inordinate ambitions. The systematic process of eliminating possible rivals by death when the situation was ripe, accounts, too, for such ambitions. And there is also evidence of the power struggle in DARE for a Karanga majority which had been waged since the 1973 Review Conference.

269. It remains for the Commission to add that it condemns and wholly deprecates the fact that such motives should have compelled the assassins to stoop to the killing of Chitepo.

CHAPTER 10

RECOMMENDATIONS AS TO MEASURES TO PROTECT PERSONS ENGAGED IN POLITICAL ACTIVITIES

270. In our fifth and last term of reference, we were asked to: *Make recommendations with regard to the measures that ought to be taken for the security of persons engaged in any political activities aimed at the attainment of freedom and independence of Zimbabwe and of any other country in Africa still under colonial or minority rule.*

271. A liberation movement should ensure that leaders of each freedom movement permanently work and live in the camps and bases. In this way they can solve problems in the Party before they get out of hand. Leaders of each movement should get the feel of the temperature of the people they are working with as that is finally their own protection. A revolutionary leader should not ask his subordinates to work in conditions under which he himself could not work.

272. The leaders of a liberation movement should always bear in mind that the nature of the guerrilla operations demands precise logistic arrangements in which supplies must always be delivered in time. Any difficulties should be explained to the satisfaction of the cadres in the field.

273. A liberation movement should realise that to win the revolutionary struggle, there must be a strong revolutionary organisation composed of men and women with one idea and purpose and whose ideological commitment, unity and cohesion are guaranteed.

274. All the rank and file members of a liberation movement should have trust and sincere love for each other. This mutual and comradely love of all members is vital because it helps the movement to create genuine comradeship. In all the bases and in operational zones the leadership must work hard to strengthen and consolidate this revolutionary comradeship.

275. The officers who are responsible for recruiting new cadres must be extremely careful to scrutinise every new recruit in order to discover cadres who are agents or spurious members of the liberation movement.

276. All the rank and file members of a liberation movement should observe strict discipline, as no army can win a war if it has no discipline.

277. In every liberation movement there should be a well established structure and an institutionalised machinery for the settlement of intra-party disputes and differences of opinion or ideologies within the movement. This will greatly reduce or even prevent such incidents as kidnapping, murdering of fellow freedom fighters or punishing members of the movement without proper trial.

278. It is important to intensify the ideological and political education among the members of the liberation movement. This would assist them in adopting correct attitudes such as total commitment to the struggle, self-criticism and mutual tolerance.

279. The relationship between male and female cadres and officials of the liberation movements should be based on mutual respect and strict observance of revolutionary discipline and morals.

280. The leadership of both the host country and the liberation movement should do everything in their power to gain mutual trust and confidence.

281. A liberation movement must respect the authority, sovereignty and territorial integrity of the host country.

282. The host country must respect the independence and integrity of liberation movements and support them in implementing discipline among their members who are living in the country. The liberation movement must always so conduct its affairs as to deserve that respect.

283. In a town like Lusaka, for example, there should be licensed offices for each freedom movement approved by OAU. There should be a small staff to deal with problems from the camps, and to co-ordinate the activities between field workers on one hand and political and diplomatic workers on the other.

284. A host country must have a representative in each camp so that he can co-ordinate the relations between the host country and the liberation movement.

285. There should be proper selection by the host Government of personnel to work with liberation movements because only officers whose political and security awareness is satisfactory should be involved.

286. Front-line states should only be operational bases for liberation movements if these movements confine themselves to the aims and objectives of liberating their colonised countries and not to transform the

host countries into centres of political and intra-Party conflicts, rivalries and bitter strifes.

287. A liberation movement in a host country must be allowed to mete out certain punishments only, and not for instance, capital punishment or punishment occasioning actual bodily harm.

288. A liberation movement should respect and obey the law of the host country in every respect including the treatment of those who are engaged in political activities.

289. There should be control over break-away, dissident or splinter groups from a movement as to their existence or operations.

290. African countries should recognise liberation movements which are recognised by the OAU.

291. All liberation movements should try to be self-sufficient for instance by engaging in—

- (i) the production of food including vegetables and fruit;
- (ii) the building of their own camps by use of freedom fighters;
- (iii) the rearing of cattle, pigs, chickens, etc.

292. All technical and sensitive matters or issues should be settled by bilateral agreements between the host country and the liberation movements.

ACKNOWLEDGMENTS

293. First of all we would like to express our special thanks to the Secretary of the Commission Mr C. C. Manyema for all his energy and untiring efforts in ensuring the successful completion of our work against innumerable odds. We also pay tribute to the entire staff of the Secretariat who have been absolutely dedicated and very hard-working. Among the staff of the Secretariat we include the interpreters and stenographers from Cairo, Egypt, whose task appeared insurmountable and yet they accomplished it. The team joined the Commission at a very critical time and they did an excellent job.

294. In carrying out our complex task, we needed help from many sources. We wish to give our thanks to many people in Zambia who received us with great warmth and friendship, particularly His Excellency the President Dr Kenneth Kaunda, the Party and Government. Everyone was very hospitable to those Commissioners who came from outside Zambia. As President Kaunda had promised when he announced the appointment of the Special Commission, he and his Government kept

their word and gave us every assistance we required in carrying out our work. In this respect, we thank the following offices in particular:

State House

The Office of the President (Special Division)

The Office of the Prime Minister

The Ministry of Home Affairs

The Ministry of Foreign Affairs

The Ministry of Defence and

The Office of the Director of Public Prosecutions

for the co-operation they gave to the Commission.

295. We realise that we are indebted to a lot of other people too numerous to name, but we would like to express our sincere gratitude to all the witnesses who appeared before us; to our drivers who patiently and untiringly carried us to and from the Commission, sometimes at odd hours.

296. We also thank Mr J. S. Manley and Mrs M. A. Minah of Sierra Leone for their invaluable services to Commissioner S. M. F. Kutubu in preparing a first draft of our Report. Our colleague's effort was most commendable and it greatly assisted in speeding up our work.

297. Last but not least, Tea Break was something that we always looked forward to, and we wish to express our thanks to the culinary staff at Mulungushi Hall for their excellent services to the Commission.

APPENDIX I

PRESIDENT KAUNDA'S MESSAGE TO THE NATION

COUNTRYMEN, COMRADES, AND FRIENDS

As you know, Zambia recently witnessed one of the worst criminal acts perpetrated against the people of Zimbabwe and their struggle, and against Zambia's boundless efforts in support of that liberation struggle. This was the brutal assassination of the late Herbert Chitepo, one of the most leading nationalists of Zimbabwe.

We are shocked. We are still grieved and angered. We remain bitter against the murderous act, bitter against the murderers—the enemies of the Zimbabwe revolution, the enemies of Zambia and Africa. Many Zambians are, to say the least, very dismayed and justifiably irritated by statements made by some Zimbabwe nationalists. Some, even nationalist leaders, have shown no concern whatsoever for the assassination of Mr Chitepo. To them Mr Chitepo has been assassinated and that must be the end. Instead of calling upon the Party and Government to track down the killers of this gallant fighter, they are either completely silent, while others virtually demand that we stop the investigation altogether and thereby shelter the assassins and their imperialist paymasters. This is really asking imperialism and racism to continue corrupting the minds of freedom fighters and to deal a heavy blow on our struggle. Can we stop the investigation? I say categorically, NO. We are going ahead with full strength till we find the culprits and identify the real agent bent on disrupting armed struggle.

Why must the investigation continue?

- FIRST: Because Mr Chitepo was not an animal. He was first and foremost a normal human being.
- SECOND: He was a prominent leader of his people, a fighter for peace, freedom and justice. He sacrificed so much in his own life for the good of the people of Zimbabwe.
- THIRD: He was not killed in the battlefield but at his house, not inside Zimbabwe but on Zambian Soil. So we are taking full responsibility for finding the culprits. Under our law, murder is a grave offence punishable by death. So we have a duty to find the culprits and that duty we will fulfil. But let me say this. We know ultimately the responsibility for the tragic and untimely death of Mr Chitepo squarely rests on Ian Smith's shoulders. He cannot escape that responsibility.

Smith created the unhealthy condition which led Mr Chitepo to leave his motherland.

Smith declared UDI which has led to the bitter armed conflict between African nationalists and the rebel regime.

Smith has continued to create conditions for the escalation of the armed struggle and closed all avenues for peaceful change.

Smith has left only one way to achieve peace based on majority rule and that is violence which in process has taken Mr Chitepo's life. Thus Mr Chitepo's assassins are clearly the creation of Ian Smith.

It is our national and international duty to seek these agents out, expose them and bring them to book. We have a duty to investigate the cause of Mr Chitepo's death and we intend to carry out that investigation with the thoroughness of a toothcomb. We will leave no stone unturned.

We have already taken some measures. We have rounded up a number of people including some Rhodesian nationals and their leaders.

In the present conditions we must take into account the following:

- (a) Smith has agents among freedom fighters just as we know of his agents among Zambians.

- (b) Imperialists have agents among freedom fighters as they have among
Zambians.
- (c) Among those who shout loudest about revolution and armed struggle are
found, well-camouflaged, the most dangerous counter-revolutionaries and
saboteurs.
- (d) Reactionaries often hide behind revolutionary rhetoric to cover up their
counter-revolutionary and diabolical intentions and actions. Reactionary
elements can be more extreme in advocating revolutionary actions which
are in fact designed to take the masses along the wrong political line and
lead fighters into an ambush by the enemy.
- (e) Finally, it requires no special talent to criticise and insult. Even the stupid,
the ignorant and the insane can and do criticise. Zambians must not be
unduly perturbed by insults.

We know we are a sovereign State. We are independent. We want others to attain independence. We are committed to give all possible assistance to the oppressed in order to overthrow their oppressors and achieve independence like us. We have demonstrated in practical terms our commitment to the cause of the oppressed in Southern Africa and elsewhere in the world. No price has been too high to pay for the freedom of others.

In this great African endeavour to liberate the rest of Africa, there is no struggle which has been as expensive for Zambia as that currently waged in Zimbabwe. We have spent millions of Kwacha. We have lost more lives and property to assist the Zimbabweans in their liberation struggle than we have lost in the armed struggle to free Mozambique and Angola.

The sacrifice we have made in terms of development is greater in respect of Zimbabwe than the amount of sacrifice made in the struggle for independence in Mozambique and Angola. Zimbabweans themselves know that whatever successes have been achieved in the armed struggle have depended on what sacrifice Zambians have been able to make. We do not dispute the fact that the future of Zimbabwe will be decided by Zimbabweans. This is what we are fighting for. But it is a fact that no country, no people in the world apart from Zimbabweans themselves, have suffered more for the freedom of Zimbabwe than Zambians. We have paid and we will continue to pay a just price for the freedom of our brothers and sisters. But to suggest that we are frustrating the struggle by investigating the assassination of Mr Chitepo is not only to show no regard for this prominent leader, but also to add very grave insult to the irreparable injuries sustained by Zambians in their unequivocal support for majority rule in Zimbabwe.

We have nothing to hide from Zimbabwe, the OAU and the world. I have thus, on behalf of the Party, Government and people of Zambia, decided to establish a Special Commission of Inquiry to carry out the investigation. The Special Commission will consist of a team selected from UNIP, Central Committee and Cabinet. I am also inviting some members of the OAU Liberation Committee and its Executive Secretary as well as representatives of Botswana, Zaire, Congo (Brazzaville), Malawi, Tanzania and Frelimo, to be members of the Special Commission. Zambia Security Services will be at the disposal of the Commission in its investigation.

I want the Special Commission to thoroughly study the events leading up to Mr Chitepo's death. To this end, I invite anyone, anywhere in Zambia, Zimbabwe and the rest of the world who has any evidence to help the Commission to come forward. I especially invite leaders in Zimbabwe and their compatriots in the world who feel very strongly about our actions to come to Zambia and give the Commission the facts. We will provide a full report to the OAU following the findings of the Commission.

As always, we in Zambia want to be completely honest about the recent events. We will be honest in the interests of the struggle we have vowed to support until victory is won in Zimbabwe.

At the same time, this Inquiry will not interfere with the criminal proceedings through a court of law if the assassins are found. We view Mr Chitepo's death with utmost gravity.

Finally, let me say that we understand the situation in Southern Africa very well. We know what we are doing. We know every step we are taking. The armed struggle in Zimbabwe has not ended, it will continue; it will be intensified unless majority rule is achieved. Smith must not be under any illusions whatever. 1975 is a year of decision.

Only his positive decision can help avert the escalation of war which he is bound to lose. Victory is on the side of the majority and Zambia will spare no efforts and time to guarantee that victory. I call upon Zambians and the rest of Africa to rally together and unite their efforts to bring about the victory now overdue. With God's guiding hand and His inspiration we will win as long as we are united in our national and international purpose.

GOD BLESS THE REPUBLIC

GOOD NIGHT

APPENDIX II

LIST OF WITNESSES

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Bishop Abel Muzorewa 2. Joshua Nkomo 3. Reverend Ndabaningi Sithole 4. James Robert Dambaza Chikerema 5. Dickson Mpundu 6. Roderick Chaya 7. Simpson Victor Mutambanengwe 8. Musiani Kalekwa Simumba 9. Sandford Batwell Mwenda 10. George Nyandoro 11. Andrew John Zengeni 12. Cornellius Martin Ditima Sanyanga 13. John Hughes Remba 14. John Landa Nkomo 15. Orbet Mazyandu 16. Mukudzei Mudzi 17. Richard Hove 18. Joseph Hamudivame Muchabaiwa Masangomai 19. Samuel Gedza 20. Stanley Garikai Pairewa | <ol style="list-style-type: none"> 21. Chemist N'cube 22. Sam Chandawa 23. Peter Sheba 24. Josiah Magama Tongogara 25. Daniel Chilondankwaso 26. Jepherson Mawere 27. Reverend Shirley Dennison Nyamurowa 28. Washington Malianga 29. Kumbirai Kangai 30. Rugare Gumbo 31. Mutuku Kowerar Hamadziripi 32. Mrs Victoria Chitepo 33. Tyupo Tshumba Chigowe 34. Alec Dovi 35. Martin Constantine Mulopa 36. Judah Mulomba 37. Abiya Joseph Siwiti 38. Mark Chuunyu Chona 39. Sadat Kufamazuba 40. Robson Manyika 41. Joseph Chimurenga |
|--|--|

NAMES OF WITNESSES WHO WERE REPRESENTED BY COUNSEL

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Mukudzei Mudzi,
represented by Miss Beatrice Ngonomo of Walisko and Company,
Lusaka. 2. Samuel Gedza,
represented by Miss Beatrice Ngonomo 3. Josiah Magama Tongogara,
represented by Miss Beatrice Ngonomo 4. Kumbirai Kangai,
represented by Miss Beatrice Ngonomo 5. Rugare Gumbo,
represented by Miss Beatrice Ngonomo 6. Henry Hamadziripi,
represented by Mr Philip Banda of Banda and Company, | <ol style="list-style-type: none"> Concession House,
Cairo Road,
Lusaka. 7. Tyupo Tshumba Chigowe,
represented by Miss Beatrice Ngonomo 8. Alec Dovi,
represented by Mr George Walisko of Walisko and Company,
Lusaka. 9. Sadat Kafamazuba,
represented by Miss Beatrice Ngonomo 10. Robson Manyika,
represented by Mr George Walisko 11. Joseph Chimurenga,
represented by Mr George Walisko |
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APPENDIX III

ZIMBABWE DECLARATION OF UNITY MADE AT LUSAKA, REPUBLIC OF ZAMBIA, ON 7th DECEMBER, 1974

ZANU, ZAPU, FROLIZI, and ANC, hereby agree to unite in the ANC.

2. The Parties recognise the ANC, as the unifying force of the people of Zimbabwe.

3. (a) They agree to consolidate the leadership of the ANC by the inclusion into it of the Presidents of ZANU, ZAPU and FROLIZI under the Chairmanship of the President of the ANC.

(b) ZAPU, ZANU and FROLIZI shall each appoint three other persons to join the enlarged ANC Executive.

4. The enlarged ANC Executive shall have the following functions:

(a) To prepare for any Conference for the transfer of power to the majority that might be called.

(b) To prepare for the holding of a Congress within 4 months at which—

(i) A Revised ANC Constitution shall be adopted;

(ii) the leadership of the united people of Zimbabwe shall be elected;

(iii) a Statement of Policy for the new ANC will be considered.

(c) To organise the people for such conference and congress.

5. The leadership of the ZAPU, ZANU and FROLIZI call upon their supporters and all Zimbabweans to rally behind the ANC under its enlarged Executive.

6. ZAPU, ZANU and FROLIZI will take steps to merge their respective organs and structures into the ANC before the Congress to be held within 4 months.

7. The Leaders recognise the inevitability of continued armed struggle and all other forms of struggle until the total liberation of Zimbabwe.

Signed: ABEL TENDEKAYI MUZOREWA
President of ANC

Signed: NDABANINGI SITHOLE
President of ZANU

Signed: JOSHUA MQABUKO NKOMO
President of ZAPU

Signed: JAMES ROBERT CHIKEREMA
President of FROLIZI

STATE HOUSE
LUSAKA

APPENDIX IV

SALISBURY DECLARATION

Recognising the paramount need for unity in the Zimbabwe liberation struggle, the Executive Committees of ZAPU, ZANU, FROLIZI and ANChave met in Lusaka to discuss the aims, objectives, and methods to be pursued. Full agreement was reached on the following points:

1. We have agreed to unite under one organisation with immediate effect. We have agreed further, that this organisation shall be the African National Council.
2. We shall be working for the independence of our country. We assume that on this demand for independence there is no difference among Rhodesians of all races. But there has until now been a difference on the kind of independence which Zimbabwe must have. The Rhodesian Front has, in the past, sought independence on the basis of minority rule. We reject that. The independence we still seek, is independence on the basis of majority rule.
3. For the purpose of achieving that objective we have always been ready to enter into negotiations with others concerned. Now that some of us have been released from detention, we believe the time is ripe for us to repeat this offer. Without pre-conditions on both sides we are ready to enter into immediate and meaningful negotiations with leaders of the Rhodesian Front, and with the British Government in Britain, on the steps to be taken to achieve independence on the basis of majority rule.
4. As a demonstration of our sincerity, all Freedom Fighters will be instructed, as soon as a date for negotiations has been fixed, to suspend fighting.
5. We are not racialists. We accept the right of White Rhodesians to live in Rhodesia and share the same rights and obligations of citizenship as their fellow Rhodesian of the majority community, without any discrimination on grounds of race, colour or creed.
6. We call upon all Rhodesians, and all who reside in Rhodesia, to remain calm, maintain peace and to go about their normal business, while these matters are being considered, and while any negotiations are proceeding.
7. We call upon all Zimbabweans, wherever they are, to remain united behind the demand for independence on the basis of majority rule, and to give full support to the African National Council.
8. We appeal to all our friends in Africa and abroad to continue their support for our struggle until independence is achieved on the basis of majority rule.

Signed: ABEL TENDEKAYI MUZOREWA
President of ANC

Signed: JOSHUA MQABUKO NKOMO
Former President of ZAPU

Signed: NDABANINGI SITHOLE
Former President of ZANU

Signed: JAMES ROBERT DAMBADZA
CHIKEREMA
Former President of FROLIZI

APPENDIX V
LIST OF COMMISSIONERS

Zambia

Hon. R. C. Kamanga, Member of the Central Committee of United National Independence Party (Chairman)

Hon. M. M. Chona, sc, MP, Minister of Legal Affairs and Attorney-General

Botswana

Hon. A. H. C. Sikunyana, MP, Member of Central Committee of Botswana Democratic Party

Mr E. Legwaila, Senior State Counsel

Libya

His Excellency Ismail Seddik Ben Ismail, Ambassador

Malawi

Hon. A. E. Gadama, MP, Minister without Portfolio

Malagasy

His Excellency H. J. Ratsimbazafy, Ambassador

Morocco

His Excellency Abdelaziz Jamaï, Ambassador

Mozambique

Mr Sergio Vieira, Special Assistant to the President

OAU (Liberation Committee)

Lt-Col. I. Mbita, Executive Secretary

Sierra Leone

Hon. Mr Justice S. M. F. Kutubu, Judge of the High Court

Somalia

Mr S. Sufi, Charge d'Affaires

Tanzania

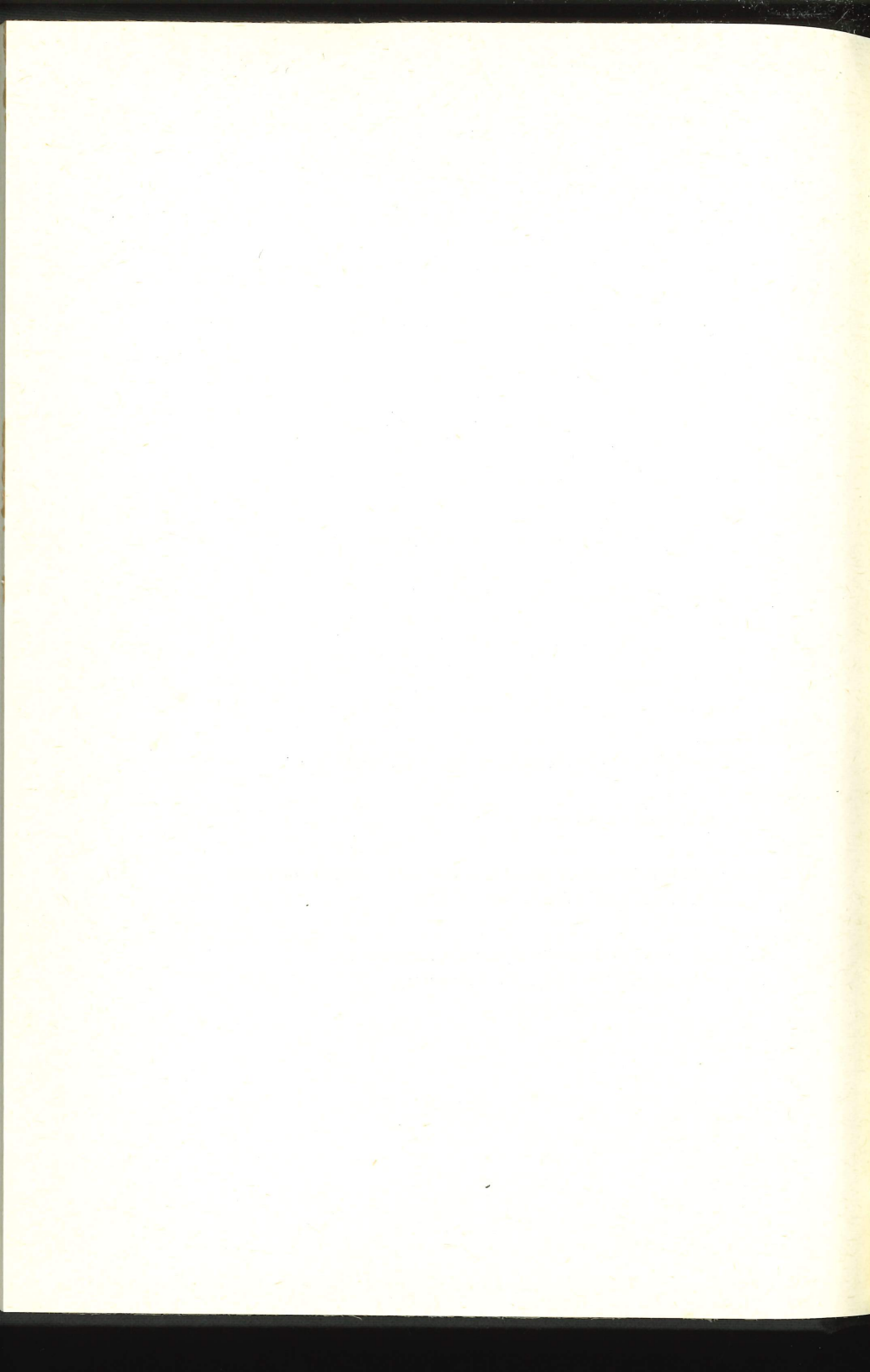
Ndugu Basheik Mikadadi, Member of Central Committee of TANU

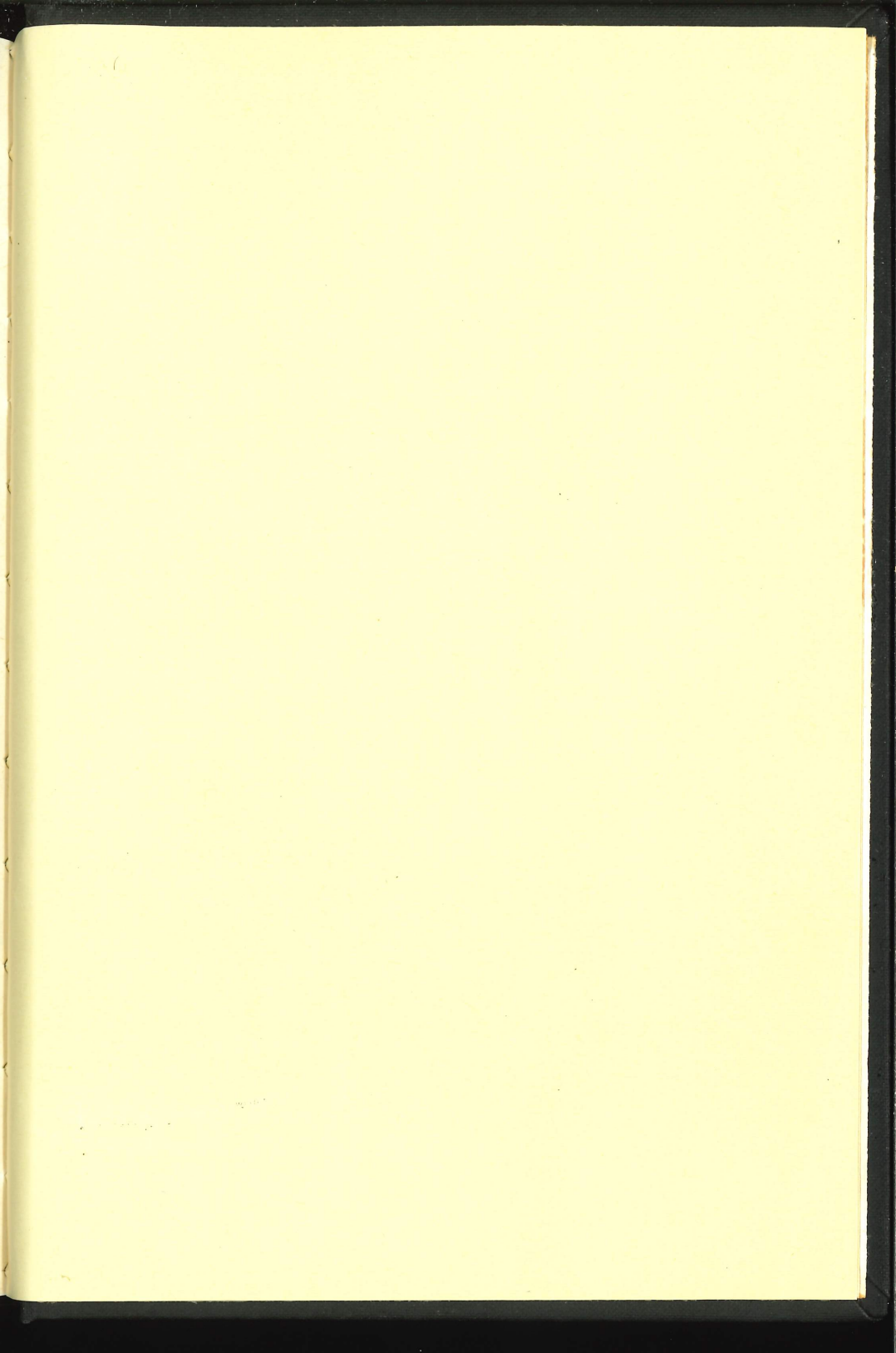
Ndugu J. S. Warioba, Attorney-General

Zaire

His Excellency Bande Larity Nyarende, Ambassador

Citoyen Malangela Shambuyi, First Secretary





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